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NOVEMBER-DECEMBER

1989

URBAN/MUNICIPAL

MINUTES OF THE MEETING
OF CITY OF HAMILTON

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, NOVEMBER 14, 1989
7.30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,
Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order,

Major Ian McAlister, Salvation Army Family Services, led the Council in
prayer.

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His Worship Mayor Robert M. Morrow read the following Proclamation:

- (i) "Ringette Week" - November 12th to 19th, 1989 (Melody Servinis and
Chuck Gibson, Presidents of Ringette.

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Presentations were made to His Worship Mayor Robert M. Morrow and Members of
City Council from:

- (i) The Hamilton Seniors Council
- (ii) The Keep Hamilton Clean Committee

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His Worship Mayor Robert M. Morrow presented a plaque to Stelco Steel (Mr. Fred
Telmer, President, Mr. Al Hopkins, Vice-President, Sales, and Mr. Bob Milbourne,
Vice-President of Manufacturing).

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The minutes of the meeting of October 31, 1989, were taken as read and approved.

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The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Starward Homes Limited, 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located at 244 Stone Church Road West.
2. Application from Liuna Local 837 Health and Welfare Plan, 7 West Ave. South, Hamilton, Ontario, for a modification to the zoning, property located at 18 West Avenue South, dated November 6, 1989.
3. Application from Daniel Stuart Alvey, R.R. #8, Brantford, Ontario, for a change in zoning, property located at the rear of No. 1490 Upper Gage Avenue, dated November 6, 1989.
4. Application from John Edward Peace, 322 Mount Albion Road, Hamilton, Ontario, for a change in zoning, property located at 322 Mount Albion Road, dated November 9, 1989.
5. Application from Peter Schaller and Ameliese Schaller, R.R. #1 St. Ann's, Ontario, for a modification to the zoning, property located at No. 81 Myrtle Avenue, dated November 10, 1989.
6. Application from John Bellfontaine, 335 Rymal Road East, Hamilton, Ontario, for a change in zoning, property located at 335 Rymal Road East, dated November 10, 1989.
7. Application from 546544 Ontario Inc. (Juraj Sulug, President & Secretary Treasurer), 54 Cherryridge Close, Hamilton, Ontario, for a change in zoning, property located on the south side of Strawberry Drive and east of Lake Ave. North, dated November 10, 1989.
8. Application from Lynn Mitges, 120 Purdy Crescent, Hamilton, Ontario, and Anna McCusker, 40 McNiven Road, Ancaster, Ontario, for a further modification to the zoning, property located at 65 Walnut Street South, dated November 10, 1989.
9. The Hamilton Harbour Commissioners By-law No. 114, dated November 10, 1989.
10. Association of Municipalities of Ontario re Federal Goods and Service Tax, dated October 25, 1989.
11. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 89-278, dated November 8, 1989. NO ACTION TAKEN.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Christopherson in the chair.

(A) CO-ORDINATING COMMITTEE - TWENTIETH REPORT.

It was moved by Alderman Ross and seconded by Alderman Cooke.

RESOLVED: that Section 4 be amended by adding the following as Subsection (c):

"(c) That this policy apply to all future architectural consultant contracts as well as any previously City Council approved architectural contracts not yet executed."

NOTE: With the adoption of the above contract arrangements with Igor Barta, Architect for the new Mohawk Sports Park Utility Building and Field House, can be amended accordingly which will result in a savings of \$10,725.00 to the City. This will reduce the estimated architectural fees for this project from \$28,000.00 to \$17,275.00. - CARRIED.

Recorded vote on Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Christopherson, Smith, Jackson, Merling, Ross. - 11.

NAYS: Aldermen Copps, Agostino, Gallagher. - 3. CARRIED.

(C) TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTEENTH REPORT.

The recommendation of the Co-ordinating Committee on Section 1 was carried.

The recommendations of the Co-ordinating Committee on Section 14 were carried.

It was moved by Alderman Smith and seconded by Alderman Agostino.

RESOLVED: that Section 18 of the SEVENTEENTH Report of the Transport and Environment Committee, adopted by City Council on October 31, 1989, reading as follows:

"18. (a) That a center median pedestrian refuge be painted on Greenhill Avenue in the area between Quigley Road and Blanche Court, subject to the reinstatement of the parking prohibition on the south side of the street as specified in the Traffic By-law:

(b) That the Traffic Department monitor the traffic volumes and the collisions on Greenhill Avenue in this area." -

be reconsidered. - CARRIED.

It was moved by Alderman Smith and seconded by Alderman Agostino.

RESOLVED: that Section 18 of the SEVENTEENTH Report of the Transport and Environment Committee be referred back. - CARRIED.

During the debate on the referral the question was called.

Recorded vote on calling the question.

YEAS: Aldermen Agro, Hinkley, Drury, Merling, Gallagher, Ross, Murray. - 7.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Copps, Christopherson, Agostino, Smith, Jackson. - 9. LOST.

Recorded vote on the referral.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Smith, Gallagher. - 10.

NAYS: Aldermen Cooke, Hinkley, Jackson, Merling, Ross, Murray. - 6. CARRIED.

(C) PARKS AND RECREATION COMMITTEE - TWENTY-FIRST REPORT.

Recorded vote on Section 8.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Christopherson, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 12.

NAYS: Alderman Copps. - 1. CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-SIXTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Gallagher.

RESOLVED: that Subsection (b) of Section 12 be amended by deleting the words "That the amending By-law NOT BE PASSED by Council until the applicant has dedicated", and that the words "That the applicant dedicates" be substituted therefor. - CARRIED.

(E) LEGISLATION COMMITTEE - SIXTEENTH REPORT.

(G) FINANCE COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Copps and seconded by Alderman Ross.

RESOLVED: that Section 2 be amended by adding after the word "estimates", in the seventh line, the words "clearly identified in the 1990 estimates". - CARRIED.

NOTE: This refers to all Departments.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above reports, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-33,
B-123, B-124,
D-133, D-134, D-135, D-136, D-137, D-138, D-139,
D-140,
G-14 -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley,
Drury, Copps, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried,
that Council move into Committee of the Whole (second reading) to
consider the following Bills, with Alderman Christopherson in the chair.

A-33,
B-123, B-124,
D-133, D-134, D-135, D-136, D-137, D-138, D-139
D-140.
G-14 -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley,
Drury, Copps, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

Consideration of the Bills (second reading)

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading)
on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley,
Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson,
Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-33,
B-123, B-124,
D-133, D-134, D-135, D-136, D-137, D-138, D-139,
D-140,
G-14 -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley,
Drury, Copps, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

City Council adjourned at 10.05 o'clock, p.m.

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its TWENTIETH Report for 1989 and respectfully recommends:

1. That approval be given for a change in name of the Keep Hamilton Clean Citizens' Committee to the Keep Hamilton Clean Committee.
2. That the cost of removing the timber tie retaining wall encroaching on the public walkway between Lynwood Road and Farmer Court and replacing it with a stone wall at an estimated gross cost of \$3 000, as authorized by City Council with the adoption of Section 7 of the SEVENTEENTH Report of the Transport and Environment Committee at its meeting held 1989 October 31, be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.
3. That the cost of reconstructing sidewalks on the East side of Upper Wellington Street from Inverness Avenue to Mountville Avenue not covered by Regional contract in the gross amount of \$8 000, as authorized by City Council with the adoption of Section 17 of the SEVENTEENTH Report of the Transport and Environment Committee at its meeting held 1989 October 31, be financed from the surplus of the 1989 Reconstruction Account.
4. That the City's policy with respect to insurance coverage relative to Architectural Consultants be amended as follows:
 - (a) in connection with the retaining of Architectural Consulting Services for assignments where the value of the building Project is \$1 million or less, that the City accept the Standard Practice Policy Coverage Architects are compelled to carry through their Association, currently \$250 000 and that any additional project specific insurance not be required.
 - (b) in connection with assignments allocated to Architects where the value of the building Project is greater than \$1 million that the City's current policy for insurance coverage continue to remain in force.

NOTE: Current City policy stipulates Architects shall obtain project specific insurance in the sum of \$2 million in addition to their Standard Practice Policy Coverage.

- * (c) That this policy apply to all future architectural consultant contracts as well as any previously City Council approved architectural contracts not yet executed.

NOTE: With the adoption of the above, contract arrangements with Igor Barta, Architect for the new Mohawk Sports Park Utility Building and Field House can be amended accordingly which will result in a savings of \$10 725 to the City. This will reduce the estimated architectural fees for this project from \$28,000 to \$17 275.

- ** 5. (a) That the Council of the Corporation of the City of Hamilton maintain the suspension of official delegation exchanges with China and that such suspension be reviewed in four (4) months.
- (b) That a copy of this resolution be forwarded to the Federation of Canadian Municipalities for their information.

NOTE: At its meeting on June 27, 1989 City Council agreed that the planned visit of a Chinese delegation from Ma'anshan, China which was scheduled to take place in October 1989 be suspended, and further that a review of the twinning arrangements between the City of Hamilton and Ma'anshan, China be undertaken in consultation with the Mundialization Committee and the Hamilton Chinese Community.

Meetings have been held with members of the Hamilton Mundialization Committee and representatives of the Hamilton Chinese Community and as a result the foregoing is being recommended. This position is consistent with that taken recently by the Mundialization Committee.

- 6. (a) That the City of Hamilton grant an extension from November 17, 1989 to December 21, 1989 in order to satisfy conditions (i) to (v) as contained in Section 7 of the THIRTEENTH Report of the Co-ordinating Committee adopted by City Council at its meeting held July 25, 1989.
- (b) That time is to remain of the essence and that all other terms and conditions are to remain the same.
- (c) That the Mayor and City Clerk be authorized to execute a notice to the Land Division Committee as soon as conditions (i) to (v) have been fulfilled. Such notice shall confirm that the City's conditions have been fulfilled.

NOTE: With the adoption of Section 7 of the THIRTEENTH Report of the Co-ordinating Committee, City Council at its meeting on July 25, 1989 approved the following:

* Section 4(c) added during Council

** Recorded vote, see page 1616

- (a) That the City of Hamilton support severance application H-173-88 by 52 James Street South Limited subject to the severance being conditional upon the following:
- (i) That a site plan for the historic Bank of Montreal and the proposed Seniors Apartment/Hotel complex (on the parking lot beside the historic Bank building) be completed, approved by the City of Hamilton and registered. The said site plan must include provision for an interior pedestrian linkage between the historic Bank building and the proposed apartment/hotel building.
 - (ii) That all zoning changes required for the approved site plan be completed (O.M.B. Approval).
 - (iii) That the applicant prior to the granting of the severance and in any event not later than September 15, 1989 enter into and register an amending agreement with the City to substitute the Seniors Apartment/Hotel complex development proposal in place of the original office proposal as required by Council on February 14, 1989 and that such agreement include the applicant's covenant to complete the restoration referred to in Item (v) in any event not later than November 17, 1989. Such agreement to state that time is to remain of the essence and that all other terms and conditions are to continue.
 - (iv) That all Realty Taxes be paid up to date prior to the granting of the severance.
 - (v) That restoration of the historic Bank of Montreal by the applicant as outlined in its development proposal (attached to Deed Number 438826 C.D.) be completed satisfactory to the Ontario Heritage Foundation and to The Corporation of the City of Hamilton prior to the granting of the severance and, in any event, not later than November 17, 1989.

With respect to condition (v) The Heritage Foundation rights are protected through a registered Heritage Easement. Therefore, it is recommended that upon the completion of the exterior renovations, the severance be permitted.

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7. (a) Bill A-33

A By-law to Confirm the Proceedings of the
Council of the Corporation of the City of
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 November 09

/bc

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its EIGHTEENTH Report for 1989 and respectfully recommends:

1. (a) That the City accept title to Parts 1, 2, 4 and 5 shown on Plan 62R-9687 and Part 1 on Plan 62R-9651 from the Region of Hamilton-Wentworth.
- (b) That upon registration of the Region's plan of subdivision, Hamilton Mountain Industrial Park No. 2, the City Solicitor be authorized and directed to prepare a by-law to incorporate Parts 1 and 5 on Plan 62R-9687, and Part 1 of Plan 62R-9651 into the road allowance of Dartnall Road.
- (c) That the Commissioner of Engineering be authorized to construct Dartnall Road from Rymal to approximately 500 m southerly at a total estimated cost of \$367 000 provided the Region pays for one-half the cost (\$183 500), as the Region is the owner or has an interest in the abutting properties on the east side of the road. (The City's share will be 100% recoverable at the time of development of the lands to the west).
- (d) That the Co-ordinating Committee be requested to recommend the method of financing the cost of the work.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT
THE CITY'S SHARE OF SERVICES IN THE GROSS
AMOUNT OF \$183 500 BE FINANCED FROM THE
RESERVE FOR CAPITAL PROJECTS.

-CARRIED-

2. That the Mayor and City Clerk be authorized and directed to execute the "Quit Claim" documents for the release of the access easement known as Part 2, Plan 62R-10287, over Part of lots 3, 4, 5, 25, 26, 27, 28, 29 and 30, Plan 62M-618, as the access easement is no longer required.
3. That the Mayor and City Clerk be authorized and directed to execute the "Quit Claim" documents for the release of a storm water drainage swale which is registered against Lots 49, 50, and 63, Plan 62M-465, as the agreement is no longer required to be registered against these lands.

4. That the applications for Inadvertent Encroachment Agreements as outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:
 - (a) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor, and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
 - (c) That a first year fee and a subsequent annual fee as determined in schedule "A" be set for this privilege.
5.
 - (a) That a taxi stand be implemented on the north side of Rebecca Street commencing at a point 108 feet east of Ferguson Avenue North and extending to a point 55 feet easterly therefrom; and
 - (b) That City Traffic By-law 89-72 be amended accordingly.
6.
 - (a) That stopping be prohibited on the north side of Crockett Street between East 35th Street and a point 50 feet easterly therefrom; and
 - (b) That City Traffic By-law 89-72 be amended accordingly.
7.
 - (a) That the existing residential boulevard parking agreement registered as Instrument No. 497578 C.D. to the property at No. 113 Cannon Street East be discharged; and
 - (b) That the owner of the property be re-imbursed the \$20 registration fee (from Account No. CH 55428 75001) and the \$10 insurance fee (from Account No. CH 48001 75920) and that the City assume the fee to discharge the agreement (approximately \$20 from Account No. CH 55428 75001); and
 - (c) That the owner of the property be re-imbursed in the amount of \$170 (from Account No. CH 55428 75001) to cover the cost of the private legal fees; and
 - (d) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

8.
 - (a) That a permit parking regulation be implemented on the east side of John Street North, commencing at a point 114 feet south of Burlington Street east and extending to a point 22 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Pam Cayuga, 514 John Street North, and
 - (c) That City Traffic By-law 89-72 be amended accordingly.
9.
 - (a) That a "School Bus Loading Zone, 7:00 a.m. - 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Abbington Drive commencing at a point 147 feet south of Clifton Downs Road and extending to a point 40 feet southerly therefrom, and
 - (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Forest Avenue commencing at a point 80 feet east of Walnut Street South and extending to a point 40 feet easterly therefrom; and
 - (c) That City Traffic By-law 89-72 be amended accordingly.
10.
 - (a) That the existing parking prohibition on the south side of Glen Road between Bond Street and a point 67 feet west of Longwood Road be extended to Longwood Road; and
 - (b) That the existing "two hour parking time limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Delmar Drive between Columbia Drive and Cambria Court, be replaced with a "one hour parking time limit, 9:00 a.m. to 8:00 p.m. Monday to Friday" regulation; and
 - (c) That City Traffic By-law 89-72 be amended accordingly.
11.
 - (a) That a parking prohibition be implemented on the south side of Violet Drive, commencing at Grandville Avenue and extending to a point 50 feet easterly therefrom; and
 - (b) That City Traffic By-law 89-72 be amended accordingly.
12.
 - (a) That a three-way stop control be implemented at the intersection of Emerald Street North and Robert Street.
 - (b) That a four-way stop control be implemented at the intersection of Ashley Street and King William Street.

- (c) That a four-way stop control be implemented at the intersection of East 27th Street and Halam Avenue.
 - (d) That City Traffic By-law 89-72 be amended accordingly.
13. (a) i. That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act R.S.O. 1980 for an order to stop-up, close and sell the unopened Road Allowance on the West Side of Owen Place between Nos. 41 and 49 Owen Place.
- ii. That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the road allowance to be closed.
- iii. That the City register a reference plan number under the Registry Act, said plan to be prepared by the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owner(s).
- iv. That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton Wentworth Act.

Provided the Judge's Order to close the highway is granted:

- (b) i. That the City Solicitor be authorized to prepare a sewer and water service easement agreement of 7.92m adjacent to the north limit of the closure for the purpose of St. Joseph's Ambulatory Care Service.
- ii. That the City Solicitor be directed to prepare a by-law for the sale of the closed road allowance to the abutting owners.
- iii. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners subject to the 7.92m easement granted to St. Joseph's Ambulatory Care Service.
- iv. That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of the City's intention to pass the by-laws.

14. (a) That the City pay the Board of Education the market value of the land for Part 6 of 62R-9868, being one half of DiCenzo Drive (0.13608 ha) in the amount of \$34 020 at the time that the Board accepts title to the adjacent lands, namely Part 4 of 62R-9868.
- (b) That concurrently with item (a), the Board of Education pay to the City an amount equal to the Local Improvement Act charges for the services in the said one half of DiCenzo Drive, which amount is:
- | | | |
|--------------------|---------------|------------|
| Sidewalk and Curbs | 112 m @ \$131 | = \$14 672 |
| Roadway | 112 m @ \$221 | = \$24 752 |
| | TOTAL | = \$39 424 |
- (c) That concurrently with item (a), the City pay DiCenzo Construction one half of the City service cost in the portion of DiCenzo Drive being Part 6 of 62R-9868, which amount is \$31 609.
- (d) That the Co-ordinating Committee be requested to recommend the method of financing.

THE CO-ORDINATING COMMITTEE RECOMMENDS:

- (a) THAT THE PAYMENT TO THE BOARD OF EDUCATION BY THE CITY FOR THE MARKET VALUE OF ONE-HALF OF DICENZO DRIVE, IN THE AMOUNT OF \$34 020 BE FINANCED FROM THE RESERVE FOR PROPERTY PURCHASES.
- (b) THAT THE CITY'S SHARE OF SERVICES TO BE INSTALLED IN "RYCKMAN'S NEIGHBOURHOOD PLAN - DICENZO DRIVE", IN THE GROSS AMOUNT OF \$31 609, BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS.

-CARRIED-

15. That leave be granted to introduce the following Bills:

- (a) B-123 By-law to Amend By-law 89-72 to Regulate Traffic
- (b) B-124 By-law to Amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 November 06

/lp

SCHEDULE "A"

-1630-

11/14/89
REFERRED TO IN SECTION 4 OF THE
EIGHTEENTH REPORT OF THE TRANSPORT
AND ENVIRONMENT COMMITTEE

<u>Address/Location</u>	<u>Type of Encroachment</u>	<u>Owner</u>	<u>Solicitor/Agent Address</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
208 Sherman Ave. N./ Clinton Street	Steps 7.42' X 5.23' Conc. Wall (3) 6.93' X 6.58' 6.28' X 8.51' 6.35' X 10.45'	Mr. Gaetano D'Alessio Mr. Carlo D'Alessio	Rosenblood, Renaud, Spitale Barristers and Solicitors 20 Hughson Street South Suite 1008 Hamilton, Ontario L8N 2A1 Att: Mr. C. Spitale	\$26.00 - \$20.00	T103-50(765)
80 Pottruff Rd./ Pottruff Rd.	Conc. Stoop 3.20' X 6.38' Steps 4.80' X 3.20'	Messrs. Howell and Howell	Lowe, Arsenault Barristers and Solicitors 804-20 Hughson St. South Hamilton, Ontario L8N 2A1 Att: J. F. Arsenault	\$105.00 - \$20.00	T103-50(772)
66 Burton Street/ Emerald St. North	Building 45' X 0.9'	Mr. Roger Crowder Mr. Micheal Murray	Ralfe, Green, Germann & Forsyth Barristers and Solicitors P.O. Box 400 411 Guelph Line Burlington, Ontario. L7R 3Y3 Att: Mr. G. Germann	\$105.00 - \$20.00	T103-50(787)
55 Mary Street North/ Rebecca St. & Mary St.	Building 4.31' X 8.0' Building 1.54' X 3.0' Wall 0.22' OVER Wall 5.5' X 1.07'		Burns, Vasan, Christmas, McLeod, Cimba Barristers and Solicitors Stelco Tower P.O. Box 987 100 King Street West Suite 1200 Hamilton, Ontario. L8N 4B7 Att: Mr. J. Scott.	\$105.00 - \$20.00	T103-50(757)
567 Mary Street North/ Mary Street North	Building 16.11' X 0.80' Porch 16.11' X 6.32'		Stancer, Sidenberg Barristers and Solicitors 290 Lawrence Avenue West Toronto, Ontario M5M 1B3 Att: Mr. R. Stancer	\$105.00 - \$20.00	T103-50(807)

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57 Florence Street/ Florence Street	Steps 3.76' X 2.6'	Mr. Matthew Baxter Ms. Deborah Ruda	Byne, Martin & Bedford Barristers and Solicitors 66 John Street South Hamilton, Ontario. L8N 2C4 Att: Mr. B. Bedford	\$105.00 - \$20.00	T103-50(814)
194 John Street North/ Robert Street	Building 3.0' X 1.54' Building 40.70' X 0.88'	Ms. Carole Zmenak	Orbach, Katzman & Merschorn Barristers and Solicitors 417 Parliament Street Toronto, Ontario M5A 3A1 Att: Mr. H. Katzman	\$26.00 - \$20.00	T103-50(813)
206 Wellington St. S./ Wellington Street	Veranda 25.50' X 1.2'	Mr. Fred Hall Ms. Margaret Harrison	Drew E. Horlacher Barrister, Solicitors, Notary Public 75 Young Street Hamilton, Ontario L8N 1V4 Att: Drew Horlacher	\$105.00 - \$20.00	T103-50(790)
27 Glendale Avenue/ Glendale Avenue	Steps 4' X 2'	Mr. Paul Bell Ms. Darlene Bell	Burns, Vasan, Christmas, McLeod, Cimba Barristers and Solicitors Stelco Tower P.O. Box 987 Suite 1200 100 King Street West Hamilton, Ontario. L8H 4B7 Att: Mr. J. Scott	\$105.00 - \$20.00	T103-50(729)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its TWENTY-FIRST Report for 1989 and respectfully recommends:

1. (a) That the redevelopment of Sam Lawrence Park be commenced from the centre of the park, progressing westerly and thereafter finishing at the easterly end of the park.
- (b) That the construction of the proposed pedestrian bridge be considered in the fourth year of the project.
- (c) That at the end of each development year, the project be brought back before the public for review and input.
2. (a) That the City of Hamilton renew the lease with the Provincial Council for Ontario, The Boy Scouts of Canada which expired November 30, 1988.
- (b) That the new term commence December 01, 1988 and expire November 30, 1989 for an annual rent of \$150.
- (c) That Council also approve a lease renewal for the period December 01, 1989 to November 30, 1990 at an annual rental of \$175.
- (d) That the Mayor and City Clerk be authorized to execute the renewal agreement prepared by the City Solicitor.
- (e) That the Director of Property be authorized to renew this lease annually assuming the property is not required for municipal purposes.
3. (a) That the City of Hamilton renew the lease with the Hamilton Bay Sailing Club which expired November 30, 1988.
- (b) That the new term commence December 01, 1988 and expire November 30, 1989 for an annual rent of \$300.
- (c) That Council also approve a lease renewal for the period December 01, 1989 to November 30, 1990 at an annual rental of \$350.
- (d) That the Mayor and City Clerk be authorized to execute the renewal agreement prepared by the City Solicitor.

(e) That the Director of Property be authorized to renew this lease annually assuming the property is not required for municipal purposes.

4. (a) That an Agreement by Owner to Accept Compensation for the purchase of 117 West Avenue South, executed by William Alford Spera and Harold MacKenzie Spera on October 12, 1989 and scheduled for closing on or before November 17, 1989, be approved and completed.

NOTE: This property which is required in connection with the development of Carter Park (Stinson Neighbourhood Park) has a frontage of 8.702 metres (28.54 feet) along the easterly limits of West Avenue South by a depth of 27.978 metres/28.0966 metres (91.79 feet/92.18 feet) having an area of 243.9 square metres (2,625 square feet) and more particularly described as Part 1 on Expropriation Plan 479788 C.D. The purchase price of \$107 867.10 in accordance with Schedule "A" is to be charged to Account No. CF 5590 628650008. Demolition is to take place upon closing.

(b) That approval be given to authorize the City Solicitor to apply to the Court for Orders to obtain possession of the property known municipally as 117 West Avenue South, which was expropriated by Expropriation Plan 479788 C.D. on October 19, 1988.

NOTE: Notice of Possession required possession of this property to be turned over to the City on September 8, 1989 and to date possession has not been received.

5. (a) That Street Level Media Inc., Unionville, be awarded the contract for the Service and Maintenance of Rink Board Advertising at various arenas at a rate of \$500 per panel, in accordance with the proposal issued by the Manager of Purchasing and Vendor's submission, for the term of 3 years with an option in favour of City to renew for one (1) two year term.
- (b) That a contract be entered into satisfactory to the City Solicitor.
6. (a) That a purchase order be issued to the Institute of Environmental Research, Willowdale, in the amount of \$46 400 to conduct a Feasibility Study for a Senior Citizens' Centre in accordance with specifications issued by the Manager of Purchasing and Vendor's Proposal.

- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of five (5) proposals received. Funds provided in Seniors Recreational Needs Study Account No. CF 5450 708941001.

- 7. (a) That Linum (A.B.) Canada Inc., Chambly, Quebec, be awarded the concession to service and maintain skate sharpening machines at various arenas for a two (2) year period in accordance with specifications issued by the Manager of Purchasing and Vendor's Proposal.

- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: This is the better of two (2) proposals received. The amount to be paid to the City of Hamilton is 20% of the Gross Receipts.

- *8. (a) That the project for the "Floodlighting of two ball fields at Globe Park" be amended to include a third ball field, and

- (b) That the City Solicitor be directed to request the Ontario Municipal Board to amend the scope of this project from two fields to three fields, and

- (c) That the Ministry of Tourism and Recreation be requested to amend the scope of their Grant approval to include a third ball field.

- 9. (a) That the Culture and Recreation Department, in accordance with the Information Systems Committee Report to Council on October 31, be authorized to obtain 34 additional computer workstations.

- (b) That the estimated leasing cost of \$4 420 for an estimated one month in 1989 be funded from overall savings in the Department's salary and wage accounts due to temporary vacancies resulting from staff promotions and re-allocations.

- (c) That the estimated annual leasing costs of \$53 040 be placed in the 1990 budget of this Department and an equal offsetting amount be shown as a reduction of staffing costs accounts or other accounts where off-setting savings can be demonstrated.

- 10. (a) That approval be given to the allocation of funds, in accordance with the policy, as approved by City Council and amended July 18, 1989, for the purchase and installation of playlot equipment for the following project:

Corktown-Stinson: - \$5 500

- (b) That the Co-ordinating Committee be requested to recommend the method of financing for this project.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT
THE PURCHASE AND INSTALLATION OF METAL PLAYLOT
EQUIPMENT IN THE GROSS AMOUNT OF \$5 500 BE
FINANCED FROM THE RESERVE FOR ACQUISITION OF
PROPERTIES UNDER THE PLANNING ACT (5% PARKS FUND). -CARRIED-

NOTE: This project will assist the Corktown Stinson Community Improvement Project which has the responsibility and authority to assemble the parkland. This equipment will be placed at Carter Park.

11. (a) That the release of balloons at Hamilton Civic Events and Festivals be prohibited.
- (b) That the Department of Environment of the Government of Canada be petitioned to enact legislation to support a national policy, opposing the release of balloons.
12. (a) That Mr. Alan Oddy be the recipient of the 1989 Hamilton Arts Award administered by the Arts Advisory Sub-Committee.
- (b) That the annual Hamilton Arts Award grant in the amount of \$500 be awarded to Mr. Oddy at a reception to be held on 1989 November 22.
13. That City Council indicate to the Premier of the Province of Ontario and the Minister of Culture and Communications that the City of Hamilton supports the Ontario Arts Council's Five Year Strategic Plan entitled "Moving Forward", and further supports the Ontario Arts Council's request for increased Provincial funding.
14. (a) That Alderman William McCulloch be authorized to officially represent Mayor Robert Morrow in the delegation travelling to Moscow and Uzhgorod, U.S.S.R. as part of Fitness Canada's Fit Trek, November 18-26, 1989.
- (b) That Travel and per diem expenses be charged to the Legislative Travel Account No. CH 55201 10010.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1989 November 07

/lp

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTY-SIXTH Report for 1989 and respectfully recommends:

1. That the Building Commissioner BE AUTHORIZED to issue demolition permits for the following properties:
 - (a) 8 McKinstry
 - (b) 223 Ferrie Street East
 - (c) 1780 Main Street West
 - (d) 1790 Main Street West
 - (e) 1796 Main Street West
 - (f) 1808 Main Street West
 - (g) 695 Rymal Road East
 - (h) 69 Rymal Road East.
 - (i) 75 Rymal Road East.
 - (j) 227 Stone Church Road East.
2. (a) That the Building Department, in conjunction with Information Systems, BE AUTHORIZED to obtain 15 additional computer workstations.
- (b) That the estimated leasing cost of \$2,250. for a possible one month in 1989 BE FUNDED from overall savings in the Building Department in the salary accounts due to delayed hiring.
- (c) That the estimated annual leasing costs of \$27,000. BE PLACED in the 1990 budget of the Building Department and an equal offsetting amount be shown as a reduction to staffing costs accounts or other accounts where a saving can be demonstrated due to productivity improvements.

NOTE: No additional funds are requested for 1989 due to a savings in the Building Department's accounts.

The annualized costs of this equipment will be provided by reducing the 1990 budget request for staffing costs or other cost savings due to productivity improvements by at least as much as the equipment lease costs for the year.

3. (a) That funds BE MADE AVAILABLE from the Commercial Improvement Programme to assist with the implementation of a wall mural program in all of the B.I.A.'s; and,
- (b) That 50% of the costs BE COVERED under the Commercial Improvement Programme to a maximum of five thousand dollars (\$5,000.) for each mural; and,
- (c) That the remaining 50% BE FUNDED by the B.I.A. or its corporate sponsors, the property owner and/or the Commercial Facade Loan Programme if a property owner is eligible for funding.

NOTE: Each mural application will be eligible for matching funding through the Commercial Improvement Programme to a maximum of five thousand dollars (\$5,000.). Also, the remaining 50% will be eligible under the terms and conditions of the Commercial Facade Loan Programme if the property owner wishes to make application.

4. (a) That the Community Development Department, in conjunction with Information Systems, BE AUTHORIZED to obtain two (2) additional computer workstations;
- (b) That the estimated leasing cost of \$300. for a possible one month in 1989 BE FUNDED from overall savings in the Community Development Department in the salary 51000 40001 accounts due to not filling temporary help.
- (c) That the estimated annual leasing costs of \$3,600. BE PLACED in the 1990 budget of the Community Development Department and an equal offsetting amount be shown as a reduction to staffing costs accounts.

NOTE: No additional funds are requested for 1989 due to a savings in the Department's accounts.

The annualized costs of this equipment will be provided by reducing the 1990 budget for staffing costs, or other cost savings due to productivity improvements, by as much as the equipment lease costs for the year.

5. That the City of Hamilton ACCEPT the sum of \$16,770. as cash payment in lieu of 5% dedication in connection with "Wentwal Estates", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located west of Upper Wentworth Street and north of Rymal Road in the Barnstown Neighbourhood, Hamilton.

6. That Alderman H. Merling and Alderman F. Lombardo BE APPOINTED to serve on the Committee of Adjustment for a one year term expiring on 1990 November 30.
7. (a) That the Regional Municipality of Hamilton-Wentworth BE NOTIFIED that Proposed Amendment No. 45 to the Hamilton-Wentworth Official Plan does not conflict with the planning intentions of the City of Hamilton; and,
(b) That the City Clerk BE DIRECTED to inform the Regional Municipality of Hamilton-Wentworth regarding (a) above.

NOTE: The Regional Municipality of Hamilton-Wentworth has requested the City's comments on proposed Amendment No. 45 to the Hamilton-Wentworth Official Plan. The purpose of the proposed Amendment is to allow the sale of motor vehicles on a 0.718 hectare (1.775 acre) site, located on the north-east corner of Twenty Road East and Highway No. 6 in the Township of Glanbrook.

8. (a) That the Main Street West concept contained in the Planning and Development Department Report entitled "City Entrance - Main Street West", BE ACCEPTED, and;
(b) That the Planning and Development Department INCLUDES in its 1990 Work Program, Land Use and Neighbourhood Planning studies of the Main Street West corridor and the adjacent areas, and;
(c) That Main Street West, from the East side of Locke Street to the west side of Queen Street, become the first phase of the implementation schedule since the Community Development Department has already established a Business Improvement Area (B.I.A.) on this section of Main Street West, and;
(d) That the Planning and Development Department BE DIRECTED to study:
 - (i) "Opportunities for improvement of the visual environment of Hwy. 403 from the City limits to the Main Street West exit"; and
 - (ii) "Opportunities for improvement of Main Street West from Queen Street to Victoria Street".

NOTE: The "City Entrance - Main Street West" Report presents an Urban Design Analysis and a plan of action. The whole corridor, i.e., from the Main Street West exit on Hwy. 403 to Queen Street, is divided into nine areas. A list of priorities would determine the sequence of private and public actions and initiatives, as described in the implementation strategy at the end of the report.

Copies of the Report are available from the Committee Secretary upon request.

9. (a) That streetscaping improvements to Main Street West, from Locke to Queen Streets, as prepared and presented by Basciano-O'Connor Landscape Architects Ltd., BE APPROVED at a total estimated gross cost of five hundred and eight thousand dollars (\$508,000.). (approximately 25% of these costs will be offset by the Regional Engineering Road and Sidewalk Reconstruction Budget and the Hamilton Hydro Electric Systems' Budget); and,

- (b) That Commercial Improvement Programme funds BE UTILIZED for the City's portion of this project at an estimate of three hundred and seventy-five thousand dollars (\$375,000.) including contingencies.

NOTE: Regional Engineering and Hamilton Hydro Electric Systems' costs are estimated at one hundred and ten thousand dollars (\$110,000.) and thirty-six thousand dollars (\$36,000.) respectively, for above-grade improvements.

- (c) That the Community Development Department, with the input of the B.I.A. and other neighbourhood and business groups, the Urban Design Committee, the Planning Department and other appropriate departments, DEVELOP a list of priorities, a schedule of implementation of the remaining phases of Main Street West from Highway 403 to Queen Street, and method of financing.

NOTE: Of the 2.5 million dollars originally approved under the Commercial Improvement Programme, approximately nine hundred and six thousand dollars (\$906,000.) has been expended or committed. Therefore, there are sufficient funds available for the Main Street West Project.

10. That APPROVAL be given to Zoning Application 89-39, Mrs. Frances Marchetti, owner, for a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit a hairdressing business as a home occupation use, for property located at 404 Cochrane Road South, as shown on the attached plan marked as Appendix "A", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That notwithstanding paragraphs (f) and (h) of Section 2(2)H.(iii), hairdressing shall be permitted as a home occupation on the following basis:

11/14/89

1. It is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
 2. There is not more than one comb-out centre and one styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1148, and that the subject lands on Zoning District Map E-76 be notated S-1148;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-76 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at 404 Cochrane Road South.

The effect of the By-law is to permit a hairdressing business as a home occupation use, for one hairdresser who resides on the premises as their principal place of residence.

11. That Zoning Application 89-65, Diton Construction, prospective owner, requesting a modification to the "C" (Urban Protected Residential, etc.) District, to permit the construction of a 3 storey residential care facility (retirement home) for the accommodation of 48 residents, for the property located at 843 Mohawk Road East, as shown on the attached map marked as Appendix "B", BE DENIED for the following reasons:
- (a) The proposed development is out of character in terms of height, bulk and density with the established development pattern of single-family dwellings.
 - (b) It represents an intrusion of an institutional type use into a stable single-family residential area: Under the "C" District regulations, the capacity of a residential care facility is restricted to 6 residents. The proposed facility would have 48 residents which is 8 times the permitted maximum;
 - (c) It conflicts with the intent of the Official Plan; and,
 - (d) Approval of the application may encourage other similar applications which, if approved, would undermine the intent and purpose of the Residential Care Facilities By-law.

12. (A) That APPROVAL be given to Zoning Application 89-75, Bethel Gospel Tabernacle Church, prospective owner, requesting a modification to the established "AA" (Agricultural) District regulations to permit a day nursery for a maximum of 125 children within the existing church building, for property located at 1355 Upper Wellington Street, as shown on the attached map marked as Appendix "C", on the following basis:

(a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:

(i) That notwithstanding Section 7A(1) of Zoning By-law No. 6593, a day nursery for a maximum of 125 children shall be permitted only within the existing church building;

(ii) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, a minimum of 21 parking spaces shall be provided for the day nursery;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1149, and that the subject lands on Zoning District Map E-18C be notated S-1149;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

*(B) That the amending By-law NOT BE PASSED by Council, until the applicant has dedicated sufficient lands to the Region for the widening of Upper Wellington Street, to the satisfaction of the Commissioner of Regional Engineering.

NOTE: The purpose of the proposed By-law is to provide for a modification in zoning to the established "AA" (Agricultural) District regulations for property located at 1355 Upper Wellington Street.

The effect of the proposed By-law is to permit a day nursery for a maximum of 125 children within the existing church building. The By-law also provides for 21 parking spaces for the use of the day nursery.

* Section 12(B) amended to read:

That the applicant dedicates sufficient lands to the Region for the widening of Upper Wellington Street, to the satisfaction of the Commissioner of Regional Engineering.

13. That APPROVAL be given to an amended Zoning Application 89-60, Carter Welding Supplies Ltd., owner, for a further modification to the established "J" (Light and Limited Heavy Industry, etc.) District regulations for property located at 186 Hunter Street East, as shown on the attached map marked as Appendix "D", on the following basis:

(a) That the "J" (Light and Limited Heavy Industry, etc.) District regulations as contained in Section 16 of Zoning By-law No. 6593 as amended by By-law 75-136, applicable to the subject lands, be further modified to include the following variances as special provisions:

(i) That notwithstanding Section 16.(1) of By-law No. 6593 the following additional uses shall be permitted within the existing building:

- (1.) A business and professional persons office;
- (2.) A retail variety store;
- (3.) A wholesale establishment;
- (4.) A warehouse;
- (5.) A food catering or food distribution business;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-409b, and that the subject lands on Zoning District Map E-5 be notated S-409b;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to further modify the established "J" (Light and Limited Heavy Industry, etc.) District regulations applicable to property located at 186 Hunter Street East.

The effect of the By-law is to permit the following additional uses within the existing building:

- (a) A business and professional persons office;
- (b) A retail variety store;
- (c) A wholesale establishment;
- (d) A warehouse;
- (e) A food catering or food distribution business.

14. That Zoning Application 89-58, Graham O'Donnell - Golden Chest Inc., owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified to permit conversion of the existing dwelling to permit the sale, display and manufacture of jewellery and an accessory office use, for property located at 585 Mohawk Road West, as shown on the attached map marked as Appendix "E", BE DENIED for the following reasons:
- (a) The proposal does not comply with the intent of the "Residential" designation of the Official Plan.
 - (b) The proposal does not comply with the intent of approved Gilbert Neighbourhood Plan which designates the subject lands for "Single and Double Residential" use.
 - (c) The proposal represents an undesirable intrusion of a commercial use into an established residential area.
 - (d) Approval of the application may encourage other similar applications which, if approved, would undermine the established residential character of the area, and the intent of the Official Plan and the approved Gilbert Neighbourhood Plan.
 - (e) It would undermine the viability of established and designated commercial lands in this area.
15. (A) That APPROVAL be given to Official Plan Amendment No. 82 to redesignate property located at the northwest corner of Limeridge Road East and Upper Gage Avenue, as shown on the attached map marked as Appendix "F", from "Residential" to "Commercial", and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That APPROVAL be given to amended Zoning Application 89-79, Edward Powell, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, modified to permit a funeral home and one accessory dwelling unit, for property located at the northwest corner of Limeridge Road East and Upper Gage Avenue, as shown on the attached map marked as Appendix "F", on the following basis:
- (a) That the subject land be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;

- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 14A(1) of Zoning By-law No. 6593 only a funeral home and one accessory dwelling unit shall be permitted.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1150, and that the subject lands on Zoning District Maps E-38A and E-38B be notated S-1150;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38A and E-38B for presentation to City Council;
- (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 82 by the Regional Municipality of Hamilton-Wentworth; and,
- (f) That the Lawfield Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Commercial".

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District modified, for property located at the northwest corner of Limeridge Road East and Upper Gage Avenue.

The effect of the By-law is to permit development of the subject lands for a funeral home and one accessory dwelling unit.

- 16. That the proposed Chapple East Neighbourhood Plan attached herewith and marked **Appendix "G"**, and the Chapple West Neighbourhood Plan attached herewith and marked **Appendix "H"**, **BE ADOPTED** by Council.
- 17. (A) That **APPROVAL** be given to Subdivision Application 88-23, Rymal Gardens Inc., owner, to establish a draft plan of subdivision south of Rymal Road East and north of the Ontario Hydro Power Commission right-of-way, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by Sidney W. Woods Engineering Inc., dated 1989 August 4, revised by changing the commercial blocks to multiple housing development.

- (b) That the streets and the widening, Blocks "103" and "104" be dedicated as public highways and Block "113" be dedicated as a public walkway on the final plan.
- (c) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (d) That the final plan conform with the Zoning By-law approved under The Planning Act.
- (e) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (f) That the owner convey 5% of the land included in this plan of subdivision and a cash-in-lieu of land payment to the City of Hamilton for park purposes, said conveyance to comprise of Block "98".
- (g) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- (h) That Blocks "105" to "112", the 0.3m reserves be conveyed to the City of Hamilton.
- (i) That the extension of Upper Wentworth Street south of Rymal Road align centreline to centreline with the existing Upper Wentworth Street north of Rymal Road and that Street "B" must align centreline to centreline at both sides of Upper Wentworth Street.
- (j) That the owner provide a 3.048m widening on the south side of Rymal Road in order to establish Rymal Road to a width of 18.29m from the original centreline.
- (k) That 12m x 12m daylight triangles be established at the intersection of Rymal Road and Upper Wentworth Street and at the intersection of Street "B" and Upper Wentworth Street.
- (l) That 2m x 2m daylight triangles are provided on Lot 66 (L-shaped roadways).
- (m) That 9m radii are provided at the transitions in and out of all cul-de-sac bulbs.

- (n) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- (o) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (B) That a Subdivision Agreement **BE ENTERED INTO** by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-23), Rymal Gardens Inc., owner, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal service has been approved by City Council.
- (C) That Zoning Application 88-107, Rymal Gardens Inc., owner, requesting changes in zoning from "AA" (Agricultural) District modified, to "C" (Urban Protected Residential, etc.) District (Block "1"), "RT-20" (Townhouse-Maisonette) District (Block "2"), "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "3"), and "G-1" (Designed Shopping Centre) District (Block "4"), for the property located at 408 Rymal Road East, as shown on the attached map marked as Appendix "I", **BE DENIED**, for the following reasons:
 - (a) A portion of Block "2" is designated "Park and Recreational" in the proposed Chappel East Neighbourhood Plan and, therefore, it is appropriate for these lands to retain the "AA" zoning. In addition, the allowable density under the "RT-20" district regulations exceeds the density permitted by the Neighbourhood Plan;
 - (b) The proposed Chappel East Neighbourhood Plan designates Block "3" for "Attached Housing". In this regard, the proposed "E" District is inappropriate and does not reflect the future intended land use; and,
 - (c) Block "4" conflicts with the Official Plan which designates the Block Residential and Major Institutional. Furthermore, the proposed Chappel East and West Neighbourhood Plans designate it for "Low Density Apartments" and "Single and Double Residential". In addition, there is an adequate supply of commercially zoned land in the immediate area, including a 12 acre parcel and a 2 acre parcel on the north side of Rymal Road at Upper Wentworth Street.

- (D) That APPROVAL be given to an amended Zoning Application 88-107, Rymal Gardens Inc., owner, requesting changes in zoning from "AA" (Agricultural) District modified, to "C" (Urban Protected Residential, etc.) District (Block "1"), "RT-10" (Townhouse) District (Block "2", and "DE" (Low Density Multiple Dwellings) District (Block "3"), to permit the development of Block "1" for single-family dwellings, Block "2" for townhouses, and Block "3" for low density apartments, for the property located at 408 Rymal Road East, as shown on the attached map marked as Appendix "J", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District modified, to "C" (Urban Protected Residential, etc.) District;
- (b) That Block "2" be rezoned from "AA" (Agricultural) District modified, to "RT-10" (Townhouse) District;
- (c) That Block "3" be rezoned from "AA" (Agricultural) District modified, to "DE" (Low Density Multiple Dwellings) District;
- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18E and E-27E for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this by-law is to provide for changes in zoning for the property located at 408 Rymal Road East, on the following basis:

Changes in zoning from "AA" (Agricultural) District modified, to:

- (a) Block "1" - "C" (Urban Protected Residential, etc.) District;
- (b) Block "2" - "RT-10" (Townhouse) District; and,
- (c) Block "3" - "DE" (Low Density Multiple Dwellings) District.

The effect of the by-law is to permit the development of the subject lands for Single-Family Dwellings (Block "1"), Townhouses (Block "2") and Low Density Apartments (Block "3").

18. That the land use designations for the north-west corner of Upper Gage Avenue and Rymal Road East in the Eleanor Neighbourhood, as shown on the map attached herewith and marked Appendix "K", BE ADOPTED by Council.

19. That leave BE GRANTED to introduce the following Bills:

- (a) Bill D-133 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 41 Rymal Road West.
- (b) Bill D-134 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 153 George Street.
- (c) Bill D-135 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 18 Main Street East.
- (d) Bill D-136 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 266 Limeridge Road East.
- (e) Bill D-137 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 2 and 4 Solidarnosc Place.
- (f) Bill D-138 A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 2 and 4 Solidarnosc Place.
- (g) Bill D-139 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 549 Stone Church Road East.
- (h) Bill D-140 A By-law to amend Zoning By-law No. 6593 respecting land located in the area west of Chesley Street and north of Stone Church Road West.

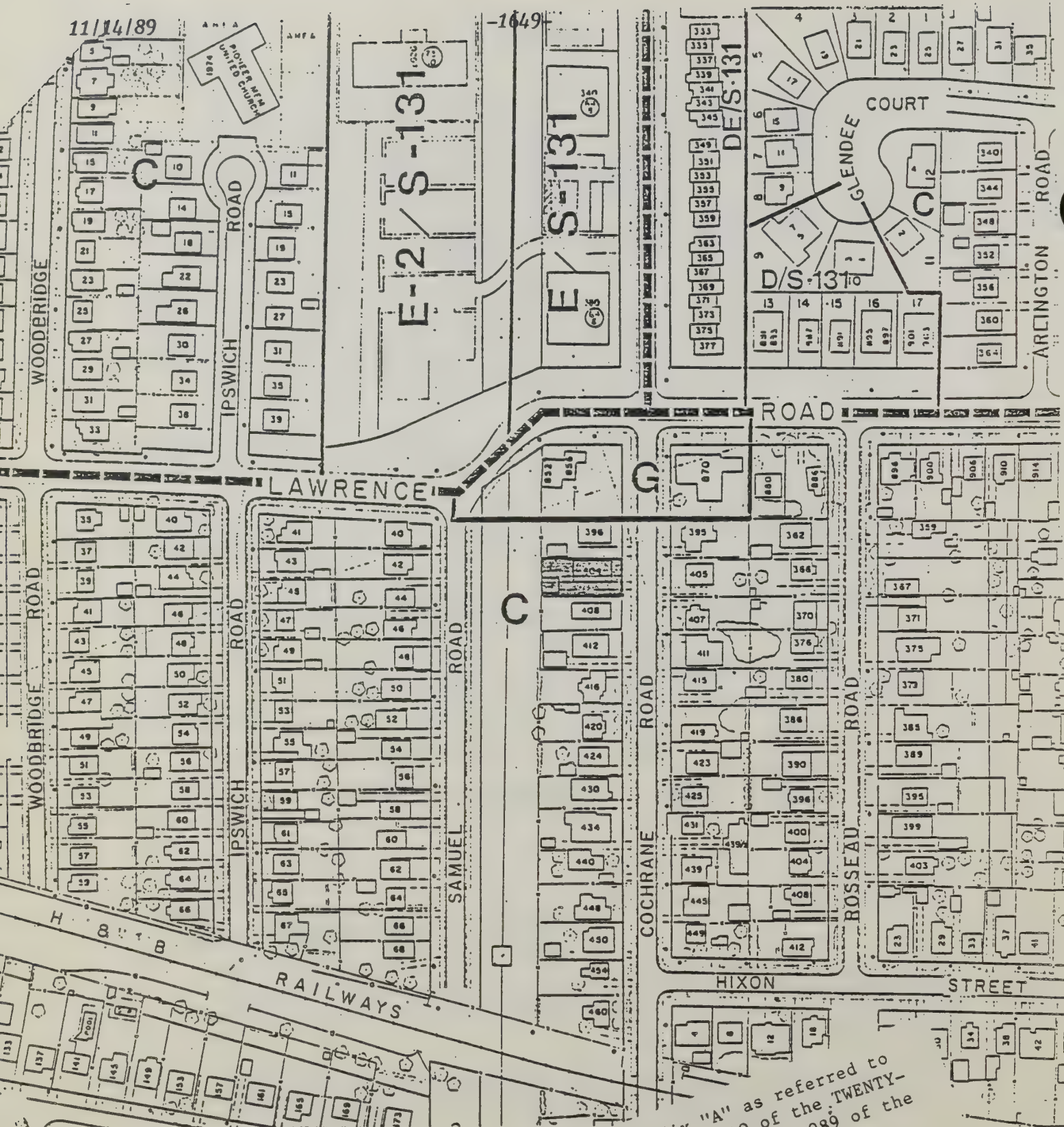
Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

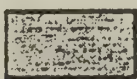
Susan K. Reeder
Secretary
1989 November 1st

11/14/89

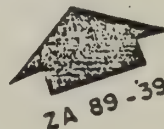
-1649-



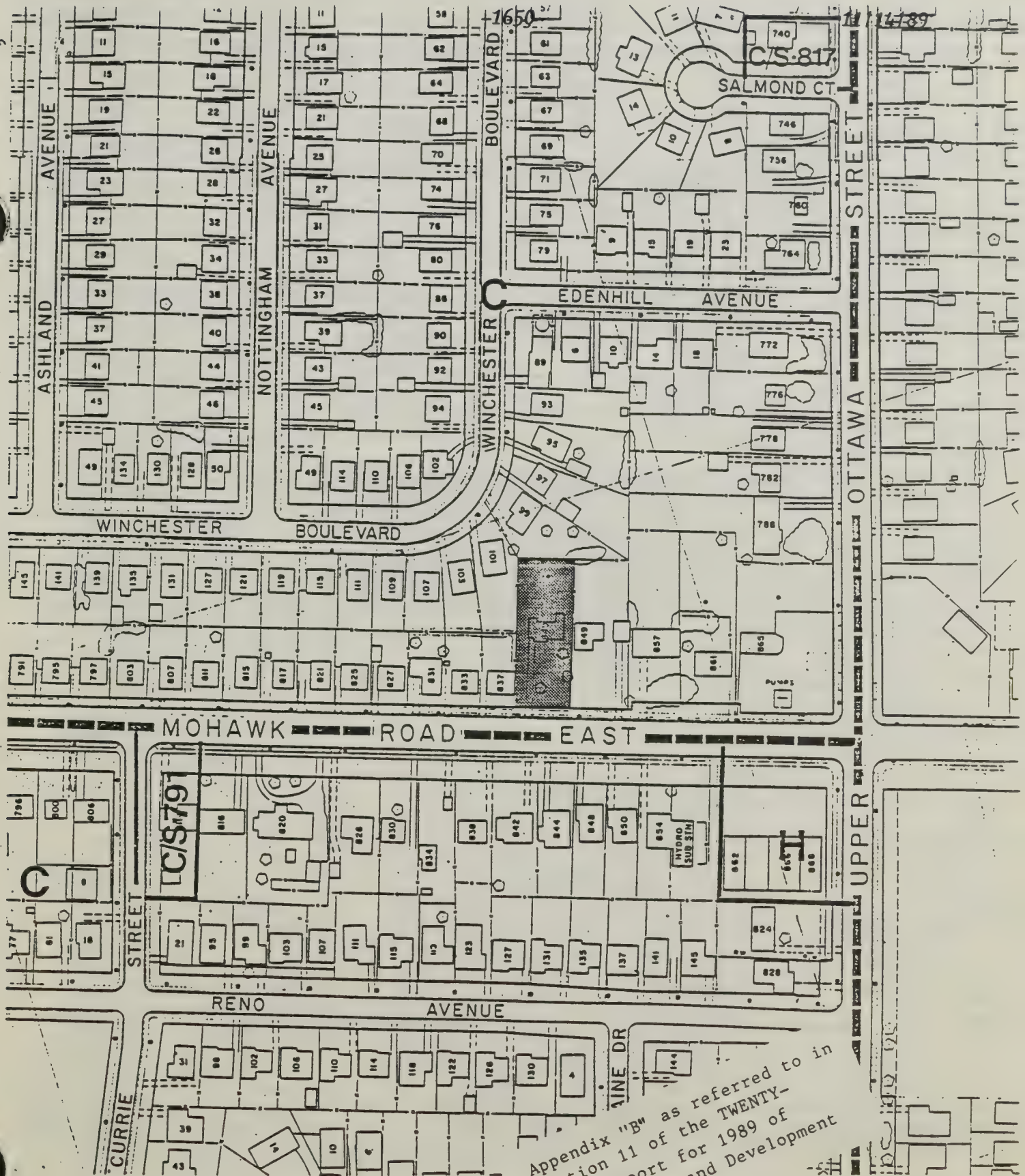
LEGEND

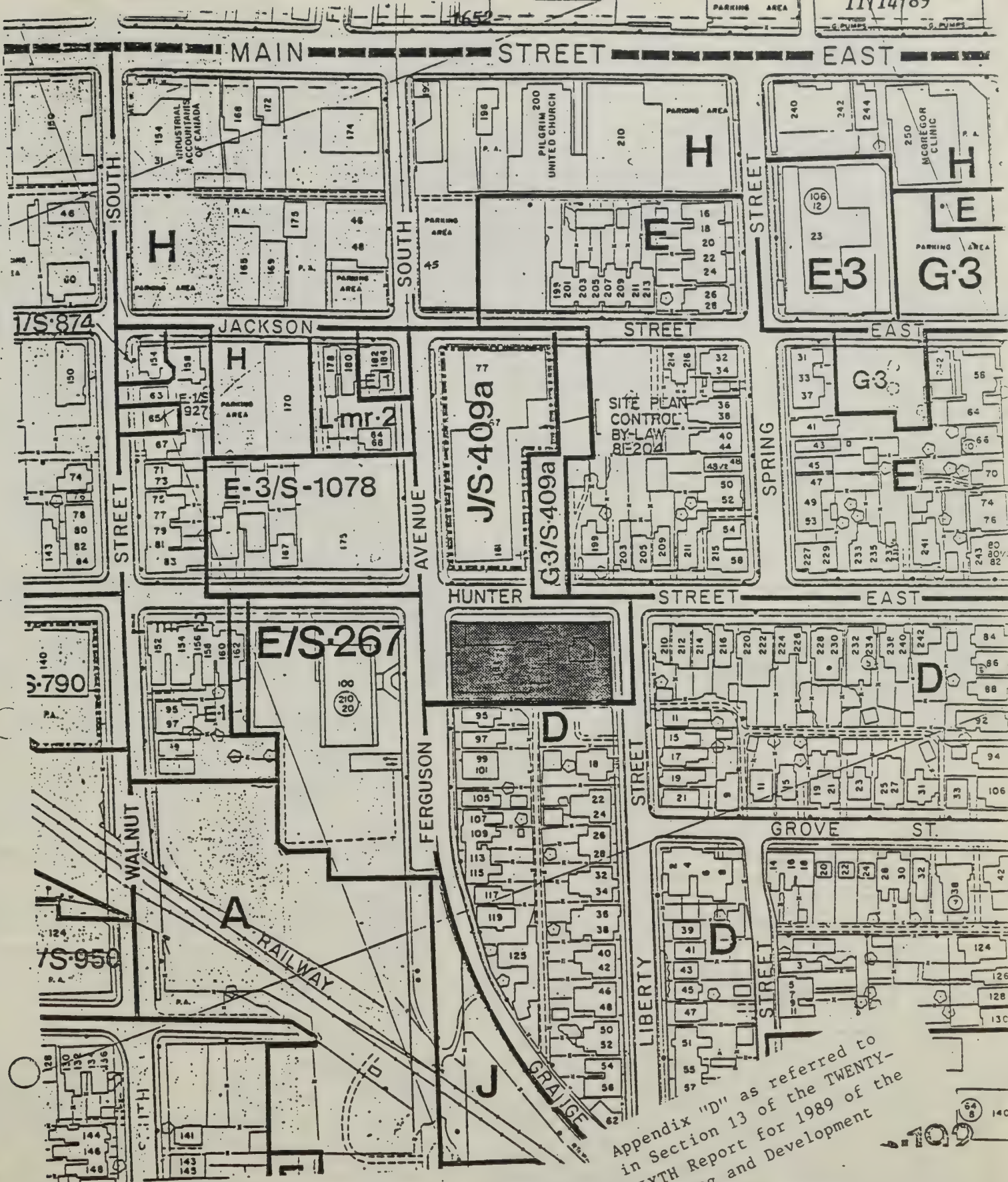


SITE OF THE APPLICATION



Appendix "A" as referred to
in Section 10 of the TWENTY-
SIXTH Report for 1989 of the
Planning and Development
Committee.



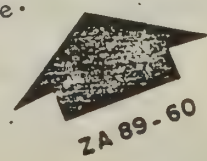


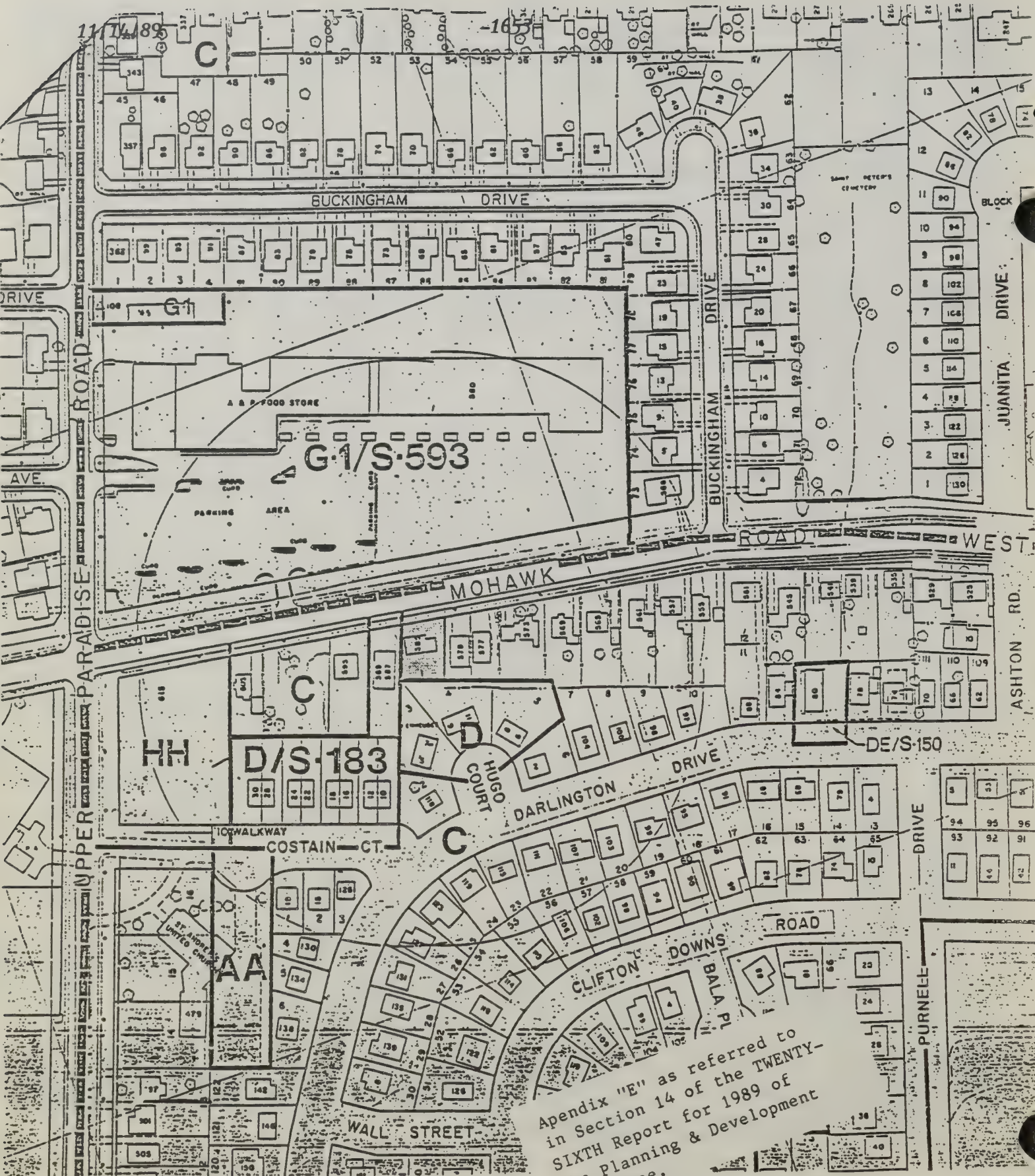
LEGEND



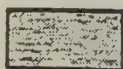
SITE OF THE APPLICATION

Appendix "D" as referred to in Section 13 of the TWENTY-SIXTH Report for 1989 of the Planning and Development Committee.





Legend



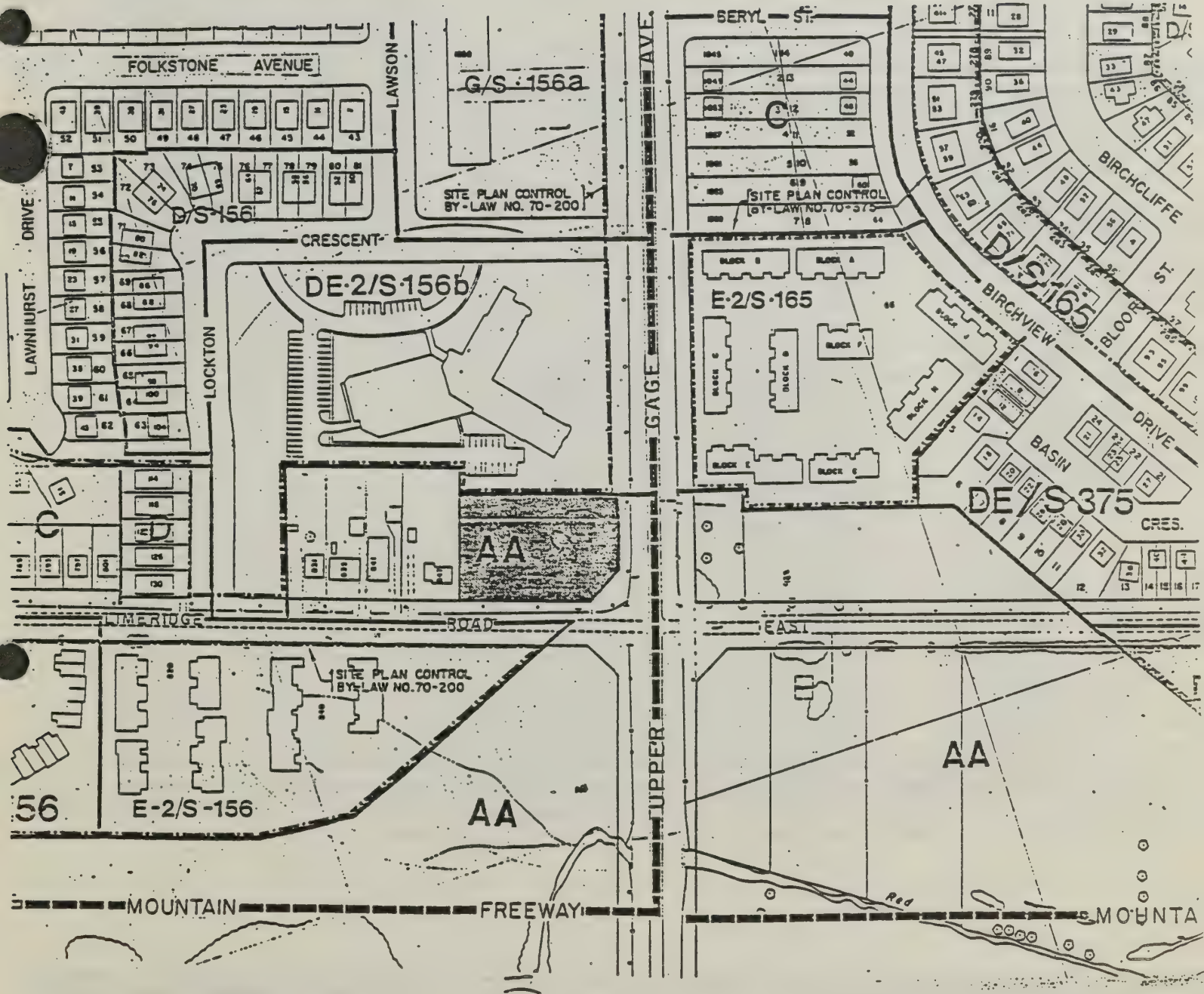
Site of the Application



ZA 89-58

Appendix "E" as referred to
in Section 14 of the TWENTY-
SIXTH Report for 1989 of
the Planning & Development
Committee.

APPENDIX A

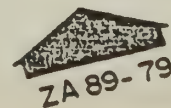


Legend



Site of the Application

Appendix "F" as referred to
in Section 15 of the TWENTY-
SIXTH Report for 1989 of
the Planning & Development
Committee.

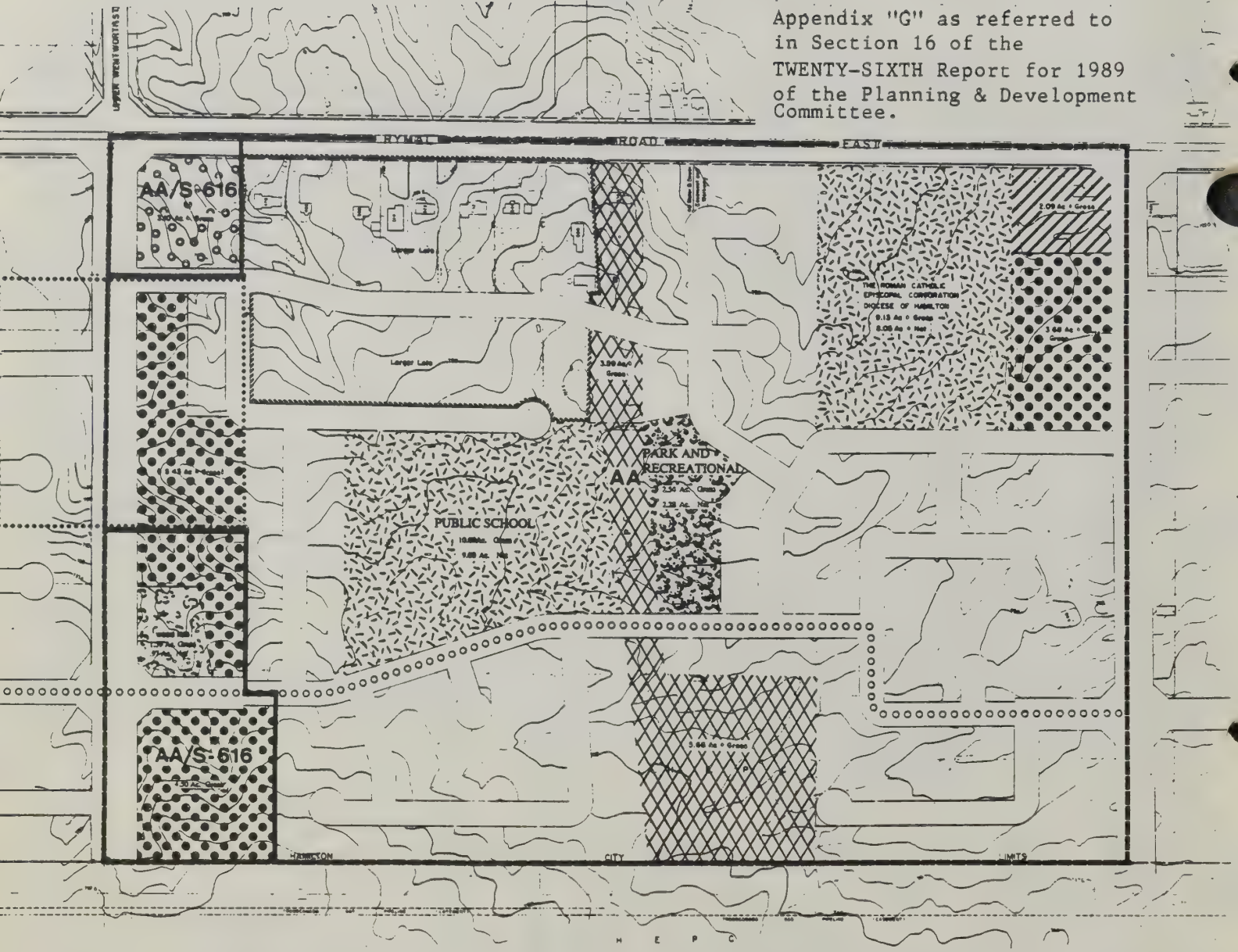


APPENDIX A

11/14/89

-1655-

Appendix "G" as referred to in Section 16 of the TWENTY-SIXTH Report for 1989 of the Planning & Development Committee.



NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

LEGEND:

- Board of Education for the City of Hamilton Existing School Sites
- o o o o o Possible Bike Route
- ~~~~~ Area of Larger Lots

LAND USE
RESIDENTIAL

- [Pattern] single & double
- [Pattern] attached housing
- [Pattern] low density apartments
- [Pattern] medium density apartments
- [Pattern] high density apartments
- [Pattern] commercial & apartments

- [Pattern] COMMERCIAL
- [Pattern] INDUSTRIAL
- [Pattern] CIVIC & INSTITUTIONAL
- [Pattern] PARK & RECREATIONAL
- [Pattern] OPEN SPACE
- [Pattern] UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals

Planning Committee Nov 1, 1989 Council

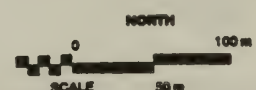
Latest Revision Date

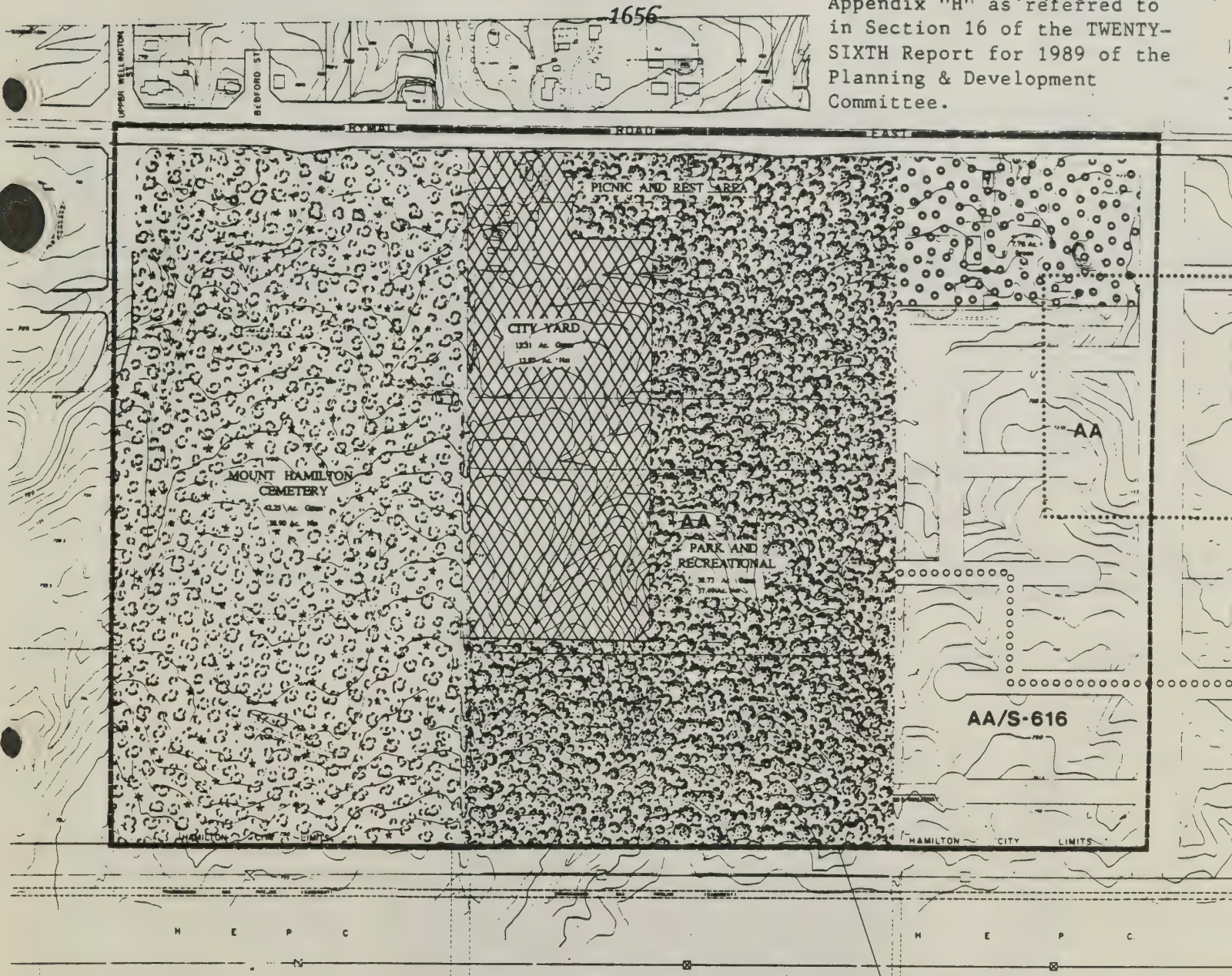
CITY OF HAMILTON
PLANNING DEPARTMENT

CHAPPEL EAST
PROPOSED PLAN

MAP1

EXISTING POPULATION (1988) 35





NOTE: This is a **GUIDE PLAN** only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

LEGEND:

- Board of Education for the City of Hamilton Existing School Sites
- o o o o o Possible Bike Route

LAND USE RESIDENTIAL

- [Pattern: Horizontal lines] single & double
- [Pattern: Dotted] attached housing
- [Pattern: Small circles] low density apartments
- [Pattern: Medium circles] medium density apartments
- [Pattern: Large circles] high density apartments
- [Pattern: Checkered] commercial & apartments

- [Pattern: Diagonal lines] COMMERCIAL
- [Pattern: Cross-hatch] INDUSTRIAL
- [Pattern: Vertical lines] CIVIC & INSTITUTIONAL
- [Pattern: Wavy lines] PARK & RECREATIONAL
- [Pattern: Dotted] OPEN SPACE
- [Pattern: Cross-hatch] UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals

Planning Committee Nov 1, 1989 Council

Latest Revision Date

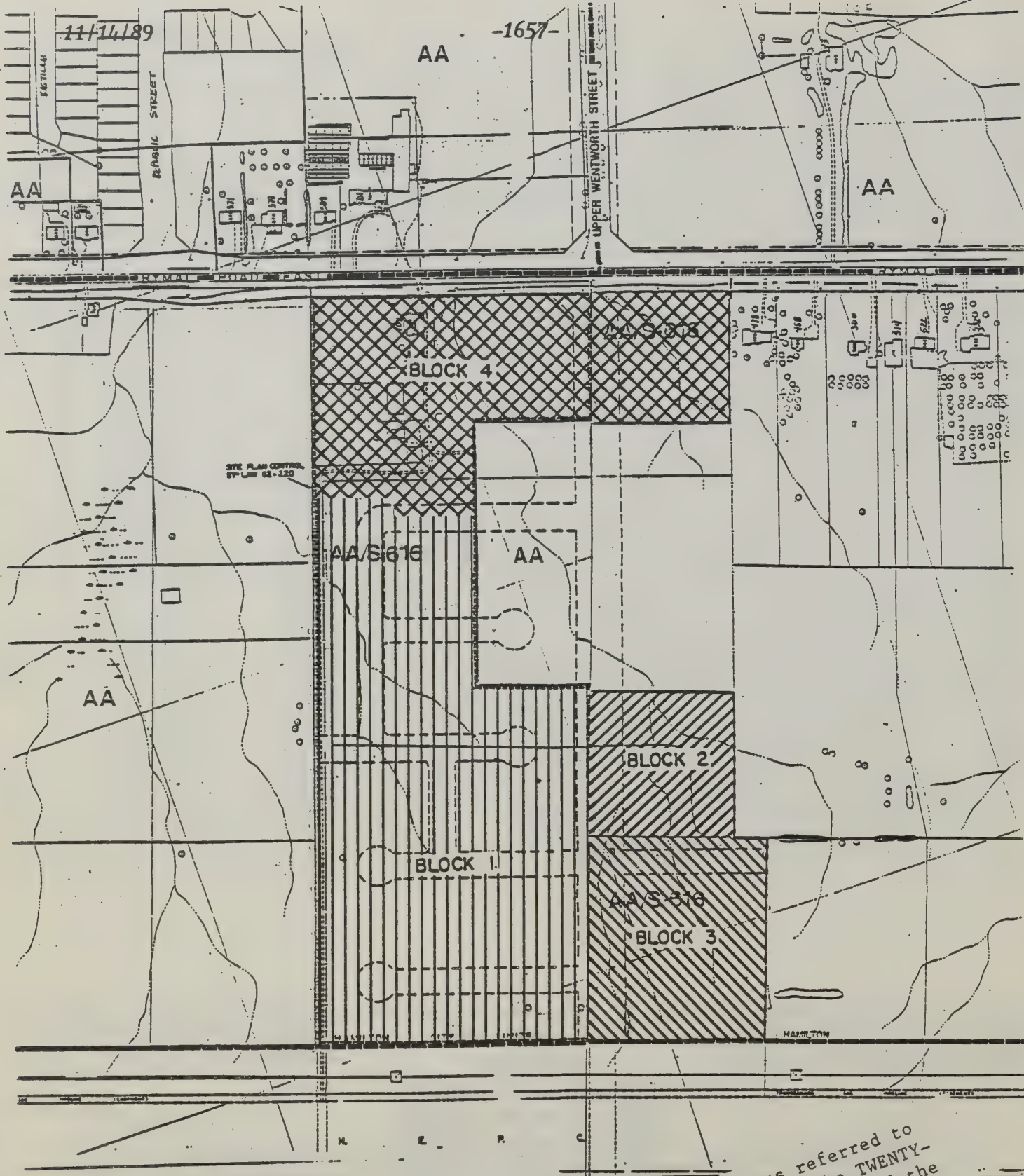
CITY OF HAMILTON
PLANNING DEPARTMENT

CHAPPEL WEST
PROPOSED PLAN

MAP2

EXISTING POPULATION (1988) 10





Legend

Proposed change in zoning from "AA" (Agricultural) district, modified to:



"C" (Urban Protected Residential, etc.) district.



"RT-20" (Townhouse - Maisonette) district.



"E" (Multiple Dwellings, Lodges, Clubs, etc.) district.



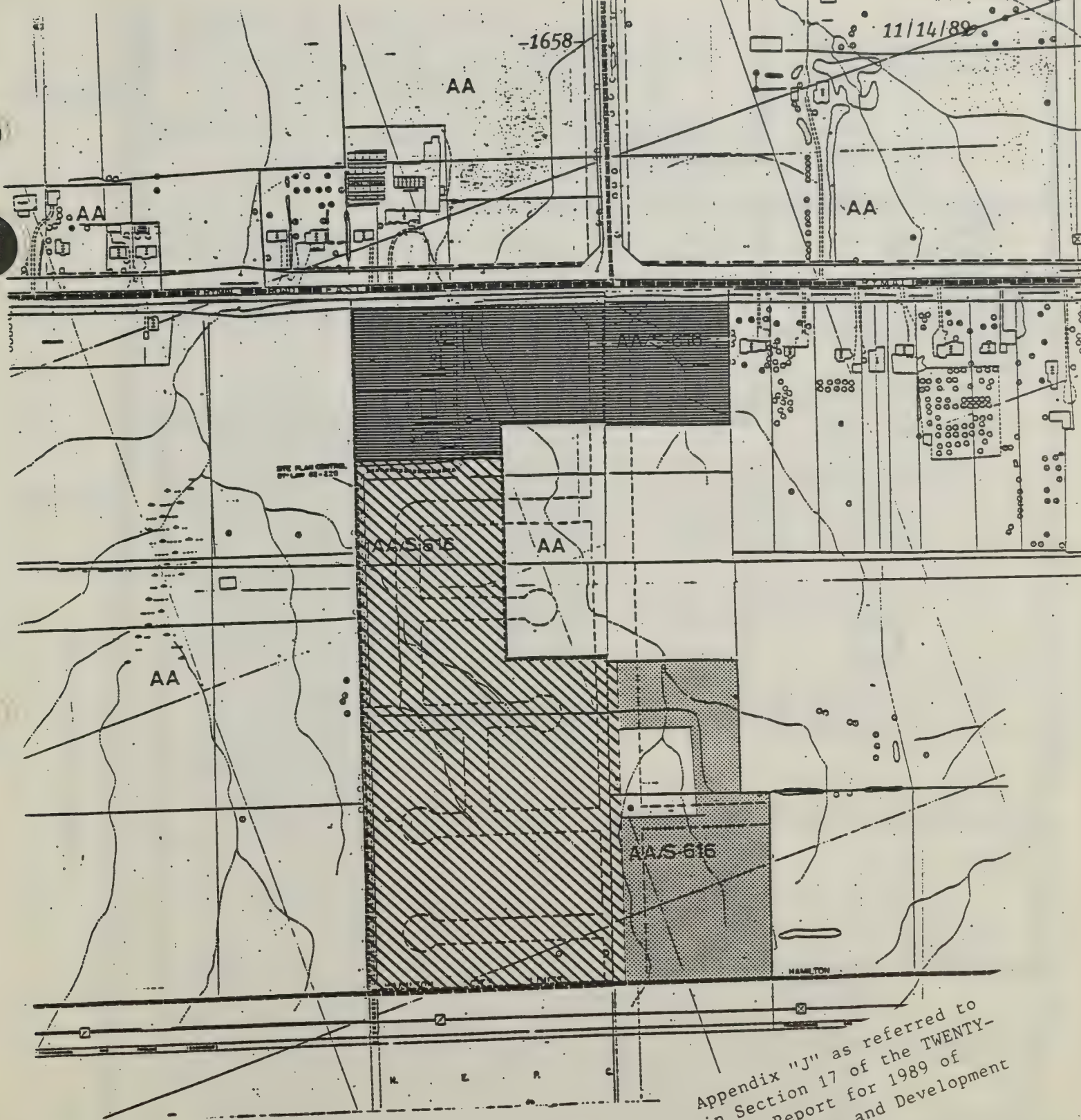
"G-1" (Designed Shopping Centre) district.

Appendix "I" as referred to
in Section 17 of the TWENTY-
SIXTH Report for 1989 of the
Planning and Development
Committee.



ZA 88 - 107

APPENDIX A



Appendix "J" as referred to
in Section 17 of the TWENTY-
SIXTH Report for 1989 of
the Planning and Development
Committee.

Legend

Proposed change in zoning from "AA"(Agricultural) District modified to:



BLOCK 1

"C"(Urban Protected Residential, etc.) District.



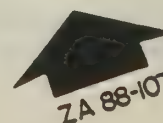
BLOCK 2

"RT-10"(Townhouse) District.



BLOCK 3

"DE" (Low Density Multiple Dwelling)District.



20
11/14/89

21 22
23 464
24 468
25 472

461 43
465 44
SINENA AVE.

1659 2 3 4 5 6
11 15 19 23 27 31

Appendix "K" as referred to in
Section 18 of the TWENTY-SIXTH
Report for 1989 of the
Planning and Development
Committee.

GAGLIANO DR.

EAGLEWOOD DR.

UPPER GAGE AVE.

RYMAL ROAD EAST

C

AA

C

10'
Walkway

629

of Hamilton
Wood Location

Land Use

- Residential
- Single and Double
- Attached Housing
- Planting Strip
- Commercial and Apartments
(Min. 50% Residential)
- Land Use Review Area

subject to change. For details contact the Local Planning Division
of Hamilton Municipal or Hamilton Township.
Boundary
See Plan Control Boundary
Latest Map Amendment
Approvals
Planning Comm Nov 1989
Council

Map 1
PROPOSED PLAN

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its SIXTEENTH Report for 1989 and respectfully recommends:

1. (a) That the general licence fees be increased by 5 percent effective 1990 January 01.
- (b) That the Licence By-law No. 76-32 (Body Rub Parlours), By-law No. 79-144 (Adult Entertainment Parlours) and By-law No. 79-323 (Callings and Occupations, excluding taxicab owners and livery vehicle owners of Schedule 4) respecting various licence fees, be amended accordingly.
- (c) That the City Solicitor be authorized and directed to submit the amending By-law directly to City Council.
2. (a) That the Producers and Dealers fees for the Hamilton Farmers' Market be increased by five percent effective 1990 January 01 as outlined in Schedule "B" to By-law No. 81-180 attached hereto as Appendix "A".
- (b) That the City Solicitor be authorized and directed to prepare a By-law to amend Market By-law No. 81-180 to reflect this increase.
3. (a) That the City Solicitor be authorized and directed to prepare a By-law to amend Section 1(m) of Market By-law No. 81-180 to clearly define the meaning of "Stand" to reflect either the rental of a Refrigeration Unit (8' or 12') eight foot or twelve foot on the mezzanine or floor space (various sizes) on both levels of the Market, instead of that designated.
- (b) That the amendment in (a) above be accompanied with a revised mezzanine floor plan in the By-law.

4. That the following resolution from the City of Stratford respecting proposed VIA rail service cuts, be endorsed:

WHEREAS Canada's population is distributed in a fashion where relatively densely populated areas are separated by vast distances, and,

WHEREAS various modes of transportation including roads, air travel, shipping and rail travel have historically each been major factors in maintaining the oneness of Canadian identity, and

WHEREAS each of these modes of travel have historically been subsidized by the Federal Government either in the form of operating subsidies or by capital construction subsidies, and

WHEREAS the Federal Government has recently decided to slash the passenger rail system to a fraction of its former self, and

WHEREAS this decision will place greater burdens and further needs for subsidy onto the other transportation systems, and

WHEREAS concern for the environment has become the number one priority of Canadians, and

WHEREAS rail travel on an existing system of track is the most environmentally benign and efficient way to move large numbers of people.

THEREFORE BE IT RESOLVED that the Government of Canada be urged to commission a study aimed at developing a National Transportation Policy that would encourage a mix of all transportation modes (roads, air, rail and water) in a fashion that maximizes:

- (a) energy efficiency
- (b) environmental compatibility
- (c) user acceptance
- (d) access by all Canadians

AND BE IT ALSO RESOLVED that pending the outcome of the study and its implementation, the government be urged to make no cuts in the existing VIA rail service;

AND BE IT FURTHER RESOLVED that this resolution be circulated to all Canadian cities for their consideration, and that it be forwarded to the Federation of Canadian Municipalities.

11/14/89

5. That civic awards be made to rowing crews of the Leander Boat Club in recognition of bringing honours to the City of Hamilton by winning National and International Championships in the Royal Canadian Henley Regatta and the Canadian National Masters Rowing Championships.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 November 06

mjw

Effective January 1, 1990
11/14/89

-1663-
SCHEDULE "B"
(Section 7)

To By-law
No. 87-

PART 1: PRODUCERS AND DEALERS FEES

Stand Number	Location	Amount of Producers and Dealers Fees	
		Per Month	Per Day
1 to 8	(Refrigeration units)	\$ 252.00	\$ N/A
12 to 18,22	(Refrigeration units)	252.00	N/A
9 to 11, 19 to 21	(Refrigeration units)	210.50	N/A
23 to 46	Ramp	147.00	23.00
47 to 62a	North Wall - main floor	147.00	23.00
63 to 70	West Wall - main floor	147.00	23.00
71 to 95	South Wall - main floor & under ramp	147.00	23.00
96 to 100	Loading docks (from 7:30a.m.-4:30p.m.)	147.00	23.00
101 to 111	East Wall - main floor	147.00	23.00
112 to 143	Stand in middle (N.S.) east to west	147.00	23.00
144 to 175	Stand in middle (S.S.) west to east	147.00	23.00
30a,36a,37a,46a	VARIOUS	81.00	11.00
70a,72a	Main Floor - south west	62.00	11.00
92	Main Floor - under escalator	207.00	23.00
176	CoffeeShop stand	294.00	N/A

Appendix "A" as referred
to in Section 2 (a) of the
SIXTEENTH Report of the
Legislation Committee

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its EIGHTEENTH Report for 1989 and respectfully recommends:

1. (a) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to include in their 1989 expenditure and revenue estimates, the transit assisted fare costs for the Senior Citizens - Age 70 and Over, the Group "A" - Disabled and Handicapped Persons and the Hamilton Street Railway Convenience Pass in the net amount of \$3 483 570;
- (b) That the mill rates of both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth be adjusted by an equal 3.3558 mills (\$3 483 570) and be approved by both City and Regional Councils;
- (c) That the City and Regional Councils approve revised By-laws to set the rates of taxation for municipal and regional purposes for the year 1989;
- (d) That the City of Hamilton pay the net cost of these transit programs as an area-rated charge from Regional levy based on the service received;
- (e) That the City of Hamilton and the Regional Municipality of Hamilton-Wentworth exchange cheques in the amount of \$3 483 570, for accounting purposes;
- (f) That Recommendations (a) to (d) inclusive be effective and take place on 1989 December 30.

- * 2. That Departments be authorized to finance the leasing of micro-computers, as arranged through the Director of Information Systems and as authorized by the Information Systems Committee and City Council 1989 October 31, from savings in individual departments in 1989 and that each department set up the twelve month leasing cost in its 1990 budget with a corresponding reduction made in the 1990 staffing estimates, or other estimates which could be reduced due to productivity improvements, of each department to clearly indicate the "pain for gain" concept.
3. (a) That the Treasury Department, in conjunction with Information Systems, be authorized to obtain 14 additional computer workstations;
- (b) That the estimated leasing cost of \$2 100 for a possible one month in 1989 be funded from overall savings in the department's salary accounts due to hiring delays, etc.
- (c) That the estimated annual leasing costs of \$25 200 be placed in the 1990 budget of this department and an equal offsetting amount be shown as a reduction to staffing costs accounts or other accounts where a saving can be demonstrated due to productivity improvements.
4. (a) That the City of Hamilton pay off the capital cost of street lighting in Hamilton in the amount of \$569 157.16 over two years, rather than continue to have these costs amortized with the annual payments included in the monthly billings from Hamilton Hydro.
- (b) That the City Solicitor be authorized and directed to prepare a By-law to assume the street lighting plant for submission to City Council.

* Section 2 amended to read:

That Departments be authorized to finance the leasing of micro-computers, as arranged through the Director of Information Systems and as authorized by the Information Systems Committee and City Council 1989 October 31, from savings in individual departments in 1989 and that each department set up the twelve month leasing cost in its 1990 budget with a corresponding reduction made in the 1990 staffing estimates, or other estimates clearly identified in the 1990 estimates which could be reduced due to productivity improvements, of each department to clearly indicate the "pain for gain" concept.

NOTE: This refers to all departments.

5. That the Actuarial Report dated 1989 October 19 prepared by the City of Hamilton's Actuaries, The Wyatt Company, indicating a fully funded position of the Hamilton Municipal Retirement Fund (HMRF) as at 1988 December 31, be accepted with the approval of the following recommendations:
- (a) That the City maintain the contribution rate of 5.75% of pensionable earnings until the next actuarial valuation of the Plan is conducted, and;
 - (b) That actuarial valuations continue to be conducted annually so that fluctuations in contributions requirements can be minimized.

NOTE: Copies of the Actuarial Report are available in the Pension Section of the Treasury Department.

6. That the report of the investment policies and goals of the Hamilton Municipal Retirement Fund as prepared by James P. Marshall Inc., be received.

NOTE: Copies of the report are available from the Pension Section of the Treasury Department.

7. That the charging of interest on arrears and the crediting of interest to members accounts of the HMRF be changed from a quarterly basis to an annual basis and that rate be the rate of return of the HMRF less 3/4 of 1%.

NOTE: Recent changes to the Pension Benefits Act have prompted this current revision. Changing the rate to an annual basis will facilitate the crediting of interest to members accounts.

8. That a purchase order be issued to Don Hyde Marine Limited, Hagersville, in the amount of \$10 146.60 for the purchase of one (1) 1990 Skidoo Snowmobile to replace Unit No. 9641, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. RF55003 25201.

9. That a purchase order be issued to Bryan's Farm and Industrial Supply Ltd., Puslinch, in the amount of \$33 372 for the purchase of one (1) Integral Wheel 4WD Loader to replace Unit No. 9492, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. RF55003 25201.

10. That a purchase order be issued to Pierre Thibault Trucks Inc., St. Francois-Du-Lac, in the amount of \$438 135.64 for the replacement of one (1) 100 ft. aerial ladder truck, Unit No. 1635, Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only acceptable tender received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X502 00101.

11. That a purchase order be issued to Hamilton Hydronics Limited, Hamilton, in the account of \$47 354.76 for the supply and delivery of pool filters, heaters and pumping equipment in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Reserve for Accounts No. CH56103 31330 and No. CH57301 31210.

12. That a purchase order be awarded to Johnston Motor Sales, Hamilton, in the amount of \$32 929.20 for the purchase of two (2) pickup trucks, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

13. (a) That a purchase order be issued to Nordic Systems Inc., Mississauga, in the amount of \$228 503 for the replacement of one small foam truck Unit No. 1649 for the Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's Proposal.
- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Only acceptable proposal received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X502 00101.

14. That purchase orders be issued for the supply and delivery of workmen's uniform clothing as and when required during 1990 to Purchasing Stores, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders as follows:

(a) Work Wear Corporation, Toronto

Coveralls	\$ 23.95 each
Long Sleeve Shirts	\$ 11.25 each
Short Sleeve Shirts	\$ 10.25 each

(b) J. P. Hammill & Son, Guelph

Pants	\$ 12.25 each
-------	---------------

(c) Bradshaw-Stradwick (1979) Inc., Welland

Jackets	\$ 16.50 each
Overall Pants	\$ 19.25 each

Provincial Sales tax extra at 8%

NOTE: Lowest of nine (9) tenders received. Funds provided in Purchasing Stores Inventory Account No. CH56103 28999.

15.
 - (a) That the Property Department, in conjunction with Information Systems, be authorized to obtain four (4) additional computer workstations and related software;
 - (b) That the estimated workstation leasing cost of \$600 for December 1989 and the estimated one time software purchase cost of \$6 600 be funded from overall savings in the 1989 departmental budget;
 - (c) That the estimated annual leasing costs of \$7 200 be placed in the 1990 budget of the Property Department and an equal offsetting amount be shown as a reduction to 1990 salary and wage or other accounts, or increased revenues from contractual services, where offsetting savings can be demonstrated.
16. That the existing Grant applications and policies be amended to reflect the following changes:
 - A. For the Convention/Reception grant application and policy:
 - (a) That a submission of a budget for the event along with the application, be required;
 - (b) That a standardized report for submission after the event that would include financial information, be required.
 - B. For the General Grant application and policy:
 - (a) That the deadline for the 1990 General Grants is 1989 December 31 and that this deadline be advertised appropriately;
 - (b) That all arts and cultural grant applications be forwarded to the Arts Advisory Sub-Committee for their comments only, which would be submitted to the Grants Review Group via the Arts Co-ordinator to assist in making the recommendations;

- (c) That the following methodology be used for processing grant requests:
 - (i) That all applications received by the specified deadline will be considered by the Grants Review Group following which their recommendations, in alphabetical order, will be forwarded to the Finance Committee for approval.
 - (d) That a provision of \$100 000 be made each year beginning in 1991 in the 1990 - 1994 Capital Budget for Capital Grants. These grants would be processed through the Grants Review Group to the newly formed Finance and Administrative Committee for inclusion in the Capital Budget. Any unallocated funds would be transferred to a reserve for Capital Grants.
 - (e) That, as a part of the application, a balance sheet, income statement and operating budget must be submitted and that eligible applicants must be in operation for at least one year.
17. That the following Committed Grants for 1990 be distributed as follows:
- (a) That the Regional Municipality of Hamilton-Wentworth be asked to assume the 1990 operational grant to Opera Hamilton;
 - (b) That the Parks and Recreation Committee be asked to transfer the following previously Committed Grants (including the 1989 base) to the Culture and Recreation Department for budget and administration in 1990 for:
 - (i) The East End Kiwanis Boys and Girls Club operating and tax grants with a 1989 total base of \$225 880;
 - (ii) The Canusa Games with a 1989 base of \$40 000.

18. (a) That a Comprehensive Audit Programme, based on the attached report, marked as Appendix "A", be implemented.
- (b) That all departments, local boards and authorities, accountable to City Council, be the subject of a comprehensive audit;
- (c) That each department, board or authority be the subject of a comprehensive audit on a rotation basis;
- (d) That a comprehensive audit of each department, board or authority be conducted every five years.
- (e) That consideration be given to provide \$150 000 in the 1990 current estimates of the City of Hamilton and \$150 000 in each of the current estimates for the years 1991 to 1994 for a total of \$750 000 to fund the consulting fees required to conduct a comprehensive audit programme involving all departments and local boards of the City of Hamilton over this five year period based on the premise savings will be realized in excess of the fees.
- (f) That the following three (3) functions be approved as priority projects for a Comprehensive Audit assignment:
- (1) Hamilton Entertainment and Convention Facilities Inc. (HECFI)
 - (2) Licencing
- NOTE: The processing of licences and procedures respecting the administration and enforcement of licencing requirements interrelates with several Departments.
- (3) City Solicitor's Department.
- (g) That a Task Force be formed for each Comprehensive Audit Project to review and ensure that the assignment has been prepared and completed in compliance with a "Scope Proposal" and the Comprehensive Audit Programme as outlined in Appendix "A" and submit recommendations to the Comprehensive Audit Sub-Committee.
- (h) That each Task Force be composed of three (3) elected representatives, who shall not be chairman or vice-chairman of the Standing Committee responsible for the Department or function being audited and three (3) appointed officials, one of whom shall be the Department Head responsible for the Department or function being audited.
- (i) That Mr. Tom Van Zuiden, Senior Vice-President, Finance and Administration, Dofasco and Mrs. Joyce Mongeon be authorized to sit on the Comprehensive Audit Sub-Committee in an advisory capacity only.

19. (a) That a grant to assist in the expenses to be incurred in providing bus transportation for a Czechoslovakian hockey team during an exchange visit to Hamilton in December 1989, in the amount as requested \$2 000, be approved.
- (b) That this amount be charged to the Unclassified General Account.
20. That leave be granted to introduce the following Bill:
- Bill G-14 A By-law to Assume the Street Lighting Plant

Respectfully Submitted,

ALDERMAN Wm. M. McCULLOCH, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Secretary
1989 November 07

mjlw

11/14/89

-1673-

Appendix "A" as referred to
in Section 18 of the
EIGHTEENTH Report of the
Finance Committee

A STRATEGY FOR CONTROLLED SPENDING
AT CITY HALL

SUBMITTED BY: ALDERMAN JOHN GALLAGHER

COMPREHENSIVE AUDITING

Government and other public sector institutions face many difficult challenges. Making sure that we are getting the best possible value for the public funds our organizations spend is one of these challenges. Another is to convince the public of our accountability and the use of good management practices. Following is an executive summary of the publication "Comprehensive Auditing - concepts, components and characteristics" published by the Canadian Comprehensive Auditing Foundation.

I believe the suggestions proposed in this document will provide an opportunity for effective fiscal and operational management in the City of Hamilton.

- : The audit scope should include any management practices, activities, systems, controls or information that are key to promoting economical, efficient and effective management and proper accountability.
- : The audit should be led and conducted by individuals who are independent of all important matters under review.
- : The audit process adopted should be systematic, and the findings, analysis and recommendations should be based on commonly accepted management reporting and control standards or, in their absence, upon criteria clearly understood by management and the auditor.
- : The report should be provided to those who have been designated by the audit sub-committee as the principal parties in the accountability relationships governing the activities under review.

CYCLICAL

As mentioned above, it is characteristic of comprehensive auditing that the major activities, systems, procedures and controls of an organization are usually examined over the course of several audits, creating an audit cycle within an organization. This approach recognizes that it would probably be unproductive to repeat detailed examinations of the same aspects of the same organizational unit year after year. The actual length of the audit cycle will be determined by such factors as the size and complexity of the organization, the resources devoted to audit, the amount of change the organization is experiencing, and the extent to which key systems can be relied on to ensure continuing regard for value for money.

Reports of comprehensive audits should be presented to the audit sub-committee as they are completed throughout the audit cycle. The timing of these reports need not necessarily coincide with the financial year of the organization. Such spacing of reports can ensure cost-effective audits, give management an appropriate length of time to initiate corrective action, and permit effective review by the audit committee.

CONSTRUCTIVE

A comprehensive audit does more than identify weaknesses in management systems - it makes constructive suggestions about the ways improvements can be made. In most instances the audit recommendations stop short of designing systems in detail. It would be inappropriate for an audit to usurp or appear to usurp management's responsibilities. At the same time, however, it would be a waste of the auditor's knowledge and expertise if the report merely said, "this is poor, it should be improved." The report is intended to be helpful and future oriented, not simply analytical.

The audit is intended to serve the organization's accountability relationships and to help it obtain the greatest value for the money it spends. Accordingly, while comprehensive audits point to important improvements that can be made, they should not criticize individuals or their specific decisions. If audits were perceived as witch hunts, they would fail to achieve the positive change that is at the core of the comprehensive audit concept.

MULTI-DISCIPLINARY

The broad scope of comprehensive auditing calls for audit personnel with a variety of skills and disciplines. For example, conducting a comprehensive audit may require an engineer to review capital acquisitions, an economist to audit information about the impact of regional development programs, a statistician to design appropriate testing techniques, educators or behavioural scientists to review training programs, computer experts to audit value-for-money issues associated with MSA, etc. The particular blend of skills required in the comprehensive audit team will vary with the nature of the programs, activities and issues to be audited.

People who lead comprehensive audit teams must have an understanding of a wide range of management practices and a sensitivity to their practical application in specific circumstances. Moreover, they must be able to use, but not be dominated by, the technical and specialist skills of members of their team, and be able to foster the understanding and cooperation of management throughout the entire process. THERE IS A DECIDED DIFFERENCE BETWEEN MANAGING A COMPREHENSIVE AUDIT AND A FINANCIAL AUDIT.

LIMITS

Comprehensive audit reports do not attempt to substitute the judgement of auditors for that of elected or appointed decision makers. On the contrary, comprehensive auditing determines whether the organization provides those who make the decisions with sufficient, accurate, relevant material to fulfil their responsibilities.

In perspective, comprehensive auditing provides information on the extent to which systems and controls are working and identifies opportunities for improvement.

THE BENEFITS

- : the provision of an objective assessment of the extent to which the organization is currently pursuing economy, efficiency and effectiveness;
- : the identification of major deficiencies in management and control practices;
- : recommendations designed to help obtain better value for money in the future; and
- : information and recommendations that can lead to better internal and public accountability.

THE PROCESS

No one specific series of procedures is applicable in all circumstances. A number of factors will contribute to a determination of the most appropriate approaches to use in planning, carrying out and reporting on a comprehensive audit of a specific department or division of a department or local board. These include but are not restricted to;

- : the nature of the governing body - whether it is City Council, a Committee of Council or a Board or Authority;
- : the history and state of development of the organization's management practices and controls;
- : external and internal environmental influences;
- : the nature of the organizations activities;
- : the organizational structure;
- : legislation governing the auditor and the audited organization. This should include rules, regulations, by-laws, provincial statutes and traditions that have an influence on the day to day operations of the organization.

THE FINAL REPORT

The written report presented to the Audit Sub-Committee should contain the following;

- : an explanation of the criteria used to judge findings;
- : relevant and important background information, including a description of the organization's accountability relationships;
- : audit findings, including both strengths and weaknesses;
- : a discussion of the root causes and significant potential effects of any weaknesses observed;
- : conclusions;
- : recommendations;
- : managements responses to the recommendations.

REPORT OF THE NOMINATING COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its EIGHTH Report for the year 1989 and respectfully recommends:

1. Approval of the following Committee appointments.

(A) <u>FINANCE AND ADMINISTRATION COMMITTEE.</u>		<u>TERM OF OFFICE</u>
Mayor Morrow		November 30, 1991
Alderman Hinkley	(Chairman)	" " "
Alderman Ross	(Vice-Chairman)	" " "
Alderman Cooke		" " "
Alderman Agro		" " "
Alderman Copps		" " "
Alderman Agostino		" " "
Alderman Jackson		" " "
Alderman Gallagher		" " "
(B) <u>PLANNING AND DEVELOPMENT COMMITTEE.</u>		<u>TERM OF OFFICE</u>
Mayor Morrow		November 30, 1991
Alderman Smith	(Chairman)	" " "
Alderman Lombardo	(Vice-Chairman)	" " "
Alderman Kiss		" " "
Alderman McCulloch		" " "
Alderman Drury		" " "
Alderman Christopherson		" " "
Alderman Merling		" " "
Alderman Ross		" " "
(C) <u>PARKS AND RECREATION COMMITTEE.</u>		<u>TERM OF OFFICE</u>
Mayor Morrow		November 30, 1991
Alderman Murray	(Chairman)	" " "
Alderman Gallagher	(Vice-Chairman)	" " "
Alderman Kiss		" " "
Alderman McCulloch		" " "
Alderman Hinkley		" " "
Alderman Copps		" " "
Alderman Lombardo		" " "
Alderman Jackson		" " "

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(D) TRANSPORT AND ENVIRONMENT COMMITTEE.

TERM OF OFFICE

Mayor Morrow		November 30, 1991
Alderman Merling	(Chairman)	" " "
Alderman Christopherson	(Vice-Chairman)	" " "
Alderman Cooke		" " "
Alderman Agro		" " "
Alderman Drury		" " "
Alderman Agostino		" " "
Alderman Smith		" " "
Alderman Murray		" " "

Respectfully submitted,



MAYOR R. M. MORROW,
CHAIRMAN.

November 14, 1989.

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, DECEMBER 12, 1989
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson,
Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend D. Paul Crittenden, Ryerson United Church, led the Council in prayer.

* * * * *

The following presentations were made:

- (i) Hamilton-Scourge Foundation to the City of Hamilton
- (ii) General Manager of the Year - Canadian Soccer League

* * * * *

A Certificate of Appreciation was presented to Mr. Paul Weiler "Pigskin Pete".

* * * * *

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Resolutions from the Mayor's Race Relations Committee.
2. Application from Joan and Bruce W. Richardson, 63 Malton Drive, Hamilton, Ontario, and Ruby and Wellman F. Stockton, 67 Malton Drive, Hamilton, Ontario, for a change in zoning, properties located at 63 and 67 Malton Drive, dated December 6, 1989.
3. Application from Mary Agnes Kosar and Gail Elizabeth Holmes, 1030 Upper James Street, Hamilton, Ontario, for a change in zoning, property located at 648 Upper Paradise Road, dated December 6, 1989.
4. Application from The Ukrainian Villa of the Resurrection Church in Hamilton, 18 Mall Road, Hamilton, Ontario, for a change in zoning, property located south of Mohawk Road East in the area between Upper Wentworth Street and Mall Road, dated December 11, 1989.
5. Fax from Mr. Pierre J. Gagnon, Canadian Campaign Director, United Farm Workers of America, AFL-CIO, 600 The East Mall, Suite 401, Toronto, Ontario, re the boycott of California grapes, dated December 6, 1989.

6. Letter from Mr. George Lewis, Winona, Ontario, re "Smoking in the Workplace By-law".
7. Letter from Colwyn Beynon, Chairman, Hamilton Historical Board, re Strathcona Fire Hall, dated December 12, 1989.
8. Letter and correspondence from Mr. Adam Ortega, Representative, Grape Workers & Farmers Coalition, P.O. Box 64770-757, Los Angeles, California, re boycott of California grapes, dated December 8, 1989.
9. Letter from Mr. Fred Loft, President, Canadian Union of Public Employees, Local Five, 231 Bay St. North, Hamilton, Ontario, re Denial of Day of Mourning Statute, dated December 7, 1989.
10. Letter from Katherine Philp, Departmental Secretary, and Mr. Edward Sernie, Slide Library Curator, McMaster University, 1280 Main St. West, Hamilton, Ontario, re sculpture by Paul Cvetich, dated December 7, 1989.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Agostino in the chair.

* * * * *

(A) CO-ORDINATING COMMITTEE - TWENTY-SECOND REPORT.

Recorded vote on Subsection (a) of Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

Recorded vote on Subsection (b) of Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Smith, Jackson. - 11.

NAYS: Aldermen Merling, Gallagher, Ross, Murray. - 4. CARRIED.

* * * * *

Recorded vote on Subsection (c) of Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Hinkley, Copps, Christopherson, Agostino, Smith,
Jackson. - 11.

NAYS: Aldermen Merling, Gallagher, Ross, Murray. - 4. CARRIED.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - TWENTIETH REPORT.

Recorded vote on Section 26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Hinkley, Copps, Christopherson, Agostino, Smith,
Jackson, Merling, Murray. - 13.

NAYS: Alderman Ross. - 1. CARRIED.

* * * * *

Recorded vote on Section 30.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Hinkley, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

The recommendation of the Co-Ordinating Committee on Section 33
was carried.

* * * * *

The recommendation of the Co-Ordinating Committee on Section 34
was carried.

* * * * *

The recommendation of the Co-Ordinating Committee on Section 35
amended by changing the figure "\$10,000." in the third line to
"\$82,000."

* * * * *

The recommendation of the Co-Ordinating Committee on Section 35
carried, as amended.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Ross.

RESOLVED: that Subsection (a) of Section 38 be amended by adding the following, after the word "extension" in the third line:

"during non-rush hour periods only". - CARRIED.

(C) PARKS AND RECREATION COMMITTEE - TWENTY-THIRD REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

The recommendation of the Co-Ordinating Committee on Section 8 was carried.

(C) PARKS AND RECREATION COMMITTEE - TWENTY-FOURTH REPORT.

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that Subsection (a) of Section 1 amended by adding the following, before the word "That" in the first line:

"With respect to the Supreme Court Action of Wade, et al-v-The Corporation of the City of Hamilton and the Hamilton Baseball Association." - CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-EIGHTH REPORT.

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of three demolition permit applications. -

YEAS: Mayor Morrow; Aldermen Agostino, Lombardo, Smith, Jackson, Merling, Ross, Murray. - 8.

NAYS: Aldermen Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson. - 6. CARRIED.

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Section 2 be amended to include the following:

"(c) 454 Main Street West
(d) 456 Main Street West
(e) 458 Main Street West".

It was moved by Alderman Christopherson and seconded by Alderman Kiss.

RESOLVED: that Section 2 be amended by adding the following:

"That issuance of the demolition permits for the properties referred to in Subsections (c), (d), and (e), be subject to the approval of the Planning and Development Committee at its meeting on December 13, 1989." - CARRIED, AS AMENDED.

Recorded vote on Section 19.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Lombardo, Smith, Jackson, Merling, Ross, Murray. - 13.

NAYS: Mayor Morrow; Alderman Gallagher. - 2. CARRIED.

(E) LEGISLATION COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Merling.

RESOLVED: that Section 1 be referred back. -

YEAS: Aldermen Cooke, Merling, Gallagher, Murray. - 4.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Ross. - 11. LOST.

It was moved by Alderman Agro and seconded by Alderman Lombardo.

RESOLVED: that Section 1 be amended by adding the following as Subsection (c):

"(c) That the above-noted By-law not apply to workplaces that are regulated by "Smoking in Public Places By-law No. 80-258", with exception of Municipal Offices. -

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Ross. - 11.

NAYS: Aldermen Cooke, Merling, Gallagher, Murray. - 4. CARRIED.

* * * * *

Recorded vote on Section 1, as amended.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Ross. - 11.

NAYS: Aldermen Cooke, Merling, Gallagher, Murray. - 4. CARRIED.

* * * * *

Section 2, reading as follows:

"2. (a) That the City of Hamilton host a civic reception for the participants of the 91st Highlanders Athletic Association's Hamilton Spectator 1990 Indoor Games at a cost not to exceed \$6,000.; and

(b) That funding for this event be financed from the 1990 Special Civic Receptions and Delegate Hostings Account No. CH55314 84010."

deleted.

* * * * *

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Agostino, Lombardo, Merling, Gallagher, Ross, Murray. - 9.

NAYS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Jackson. - 6. CARRIED.

* * * * *

It was moved by Alderman Lombardo and seconded by Alderman Merling.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution dealing with a lease agreement for the Hamilton Farmers' Market Coffee Shop.- CARRIED.

* * * * *

It was moved by Alderman Lombardo and seconded by Alderman Merling.

RESOLVED: that the following be added as Section 14.

"14. (a) That a five (5) year lease agreement, with a five year option, be entered into with Burton and Marguarite Hubbard for the operation of the Hamilton Farmers' Market Coffee Shop, at a rate of \$290.00 per month for 1990, to be adjusted yearly to reflect inflationary and other costs.

(b) That the Acting City Solicitor be requested to prepare this lease agreement.

NOTE: Burton and Marguarite Hubbard have operated this coffee shop under lease agreement for the past ten years." - CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Kiss.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution dealing with the "Day of Mourning" Sculpture Project sponsored by the Hamilton and District Labour Council. - CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Kiss.

RESOLVED: that the following be added as Section 15.

"15. That the recommendation of the Panel of Jurors to award the "Day of Mourning" Sculpture Commission to Mr. Paul Cvetich, Artist, be approved.

NOTE: At its meeting held 1989 April 25 City Council, on the recommendation of the Legislation Committee, approved the request of the Hamilton and District Labour Council to erect a memorial upon the grounds of City Hall, at a location west of the existing building near Bay Street, in accordance with the POLICY TO GOVERN AND REGULATE THE INSTALLATION OF COMMEMORATIVE PLAQUES, MEMORIALS, MONUMENTS, TIME CAPSULES AND TREES UPON CITY HALL GROUNDS, which was adopted by City Council 1988 September 7.

The Legislation Committee approved that Alderman M. Kiss and Alderman D. Drury be appointed to sit on the panel of jurors which was established to review the preliminary drawings received from local artists. The competition was administered by the Hamilton and Region Arts Council. Pursuant to the above mentioned policy, the final design and quality of materials to be used in the monument is subject to the approval of City Council." -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: 0 - CARRIED.

This item was actually dealt with at the beginning of the meeting.

* * * * *

(F) PERSONNEL COMMITTEE - EIGHTEENTH REPORT.

* * * * *

(G) FINANCE COMMITTEE - TWENTIETH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Cooke.

RESOLVED: that Section 1, reading as follows:

- "1. (a) That the report of The Coopers & Lybrand Consulting Group, Management Consultants, dated 1989 December 1, entitled "Capital Charges Study" be approved by City Council effective 1990 January 1.
- (b) That pursuant to the provisions of the Development Charges Act, 1989, a full public meeting be held by all interested parties early in January 1990.

- (c) That, effective 1990 January 1, the Building Commissioner be authorized and directed to collect the recommended development charges prior to the passage and approval of a development charge by-law and that these charges to be held in escrow pending approval of the by-law.
- (d) That the Acting City Solicitor be requested to examine the legal ramifications of imposing the new development charges prior to the by-law coming into force or collecting the new development charges retroactively once the by-law comes into force.
- (e) That any interested party intending to comment to City Council on the Coopers & Lybrand Report be assessed \$25. per report.

NOTE: Copies of this report have already been distributed to all Members of City Council."

be deleted and the following substituted in lieu thereof.

- "1. (a) That the Report of The Coopers & Lybrand Consulting Group, Management Consultants, dated 1989 December 1, entitled "Capital Charges Study", be approved.
- (b) That Council directs and approves that the appropriate City staff arrange a full public meeting of the Finance and Administration Committee, prior to the passing of a Development Charge By-law, in accordance with the Act itself and provincial regulations to be made by Cabinet and filed under the Development Charges Act, 1989, as soon as the necessary Regulations are available, so as to receive submissions from the interested parties and the public on the report.
- (c) That the Acting City Solicitor be requested to examine the legal ramifications of imposing the new development charges in accordance with the Development Charges Act, 1989, and as outlined in The Coopers & Lybrand Report.
- (d) That any interested party intending to comment on The Coopers & Lybrand Report pay \$25. per copy of the report.
- (e) That every effort be made to have the public meeting referred to in Subsection (b) as soon as legally possible and practical.

NOTE: The City Solicitor's Office has advised that,

whereas the Act received Royal Assent and became law on 1989 November 23, the necessary regulations thereunder, which are required to be made and filed before a municipality can take any steps, including preliminary public information steps required by the Act, have not yet been considered by the Provincial Cabinet nor made available. The Acting City Solicitor advises that since compliance with the Regulations is legally mandatory, proposed action by the City must await their promulgation by the Province.

The above resolution, when passed, will authorize City staff to act immediately to arrange the public meeting when the Regulations are made available by the Province." - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED; that Alderman Lombardo be appointed Acting Mayor for the month of January, 1990. - CARRIED.

NOTICE OF MOTION

Alderman D. Agostino gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

"RESOLVED: that the Council of The Corporation of the City of Hamilton endorse, in principle, the response of the Solicitor General with respect to the report of the Task Force on Race Relations and Policing."

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted.-

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-35,
B-130, B-131, B-132, B-133, B-134, B-135, B-136, B-137,
B-138, B-139, B-140, B-141, B-142, B-143,
C-3,
D-151, D-152, D-153, D-154, D-155, D-156,
E-11, E-12, E-13,
G-15.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Agostino in the chair.

A-35,
B-130, B-131, B-132, B-133, B-134, B-135, B-136, B-137,
B-138, B-139, B-140, B-141, B-142, B-143,
C-3,
D-151, D-152, D-153, D-154, D-155, D-156,
E-11, E-12, E-13,
G-15.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

Consideration of the Bills (second reading).

It was moved by Alderman Agro and seconded by Alderman Lombardo.

RESOLVED: that Bill E-11, Respecting Smoking in the Workplace, be amended by adding the following as Subsection (3) of Section 2.

"(3) Subsections (1) and (2) shall not apply to workplaces or parts thereof that are regulated under City of Hamilton By-law No. 80-258, as amended, save and except for Municipal Offices, and further, by deleting Sections 16 and 18, and renumbering the sections accordingly." -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Jackson, Ross. - 12.

NAYS: Aldermen Merling, Murray. - 2. CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading)
on the Bills be adopted.-

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps,
Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher,
Ross, Murray. - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-35,
B-130, B-131, B-132, B-133, B-134, B-135, B-136, B-137,
B-138, B-139, B-140, B-141, B-142, B-143,
C-3,
D-151, D-152, D-153, D-154, D-155, D-156,
E-11, E-12, E-13,
G-15.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley,
Copps, Christopherson, Agostino, Lombardo, Jackson, Merling,
Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

City Council adjourned at 1.30 a.m., December 13, 1989.

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its TWENTY-SECOND Report for 1989 and respectfully recommends:

- * 1. (a) That City Council go on record as encouraging greater involvement and participation of representatives of visible minority groups on its various boards, committees and commissions.
- (b) That staff be requested to undertake a study to determine the present representation of the visible minority groups on the City's boards, committees and commissions versus the ratio of the visible minority groups to the total population of the City of Hamilton.
- (c) That the Finance and Administration Committee be requested to review the current selection process with a view to encouraging greater representation of visible minority groups.
- 2. That Mr. George Baker be appointed Fire Chief for the Corporation of the City of Hamilton effective December 18, 1989 and that the Chief Administrative Officer and the Commissioner of Human Resources be authorized to negotiate the provisions of a contract with Mr. George Baker for a term of three (3) years within compensation range "C".
- 3. (a) Bill A-35 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN T. COOKE
ACTING CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 December 07

/bc

* Recorded votes, see page 1754

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TWENTIETH Report for 1989 and respectfully recommends:

1. (a) That 52 James Street South Limited dedicate Part 1, Plan 62R-10694 (1,150 square feet) as shown on Schedule "A", to the City for the required widening of the alley located between Main Street West and Jackson Street West.
 - (b) That the City Solicitor be authorized to take the necessary steps to widen the existing alley by including the surface area known as Part 1, Plan 62R-10694.
 - (c)
 - i. That the City lease back to The Wellesley Retirement Group Inc. approximately 800 square feet of the subsurface area of part 1, Plan 62R-10694 shown cross-hatched on the attached plan known as Schedule "B". The term of the lease will be 99 years at annual rental of \$1 per year plus taxes commencing in any event on or before June 15, 1990.
 - ii. The Lessee will complete the surface of the entire area of Part 1, Plan 62R-10694 in the same material as that of the adjoining public alley.
 - iii. The Lessee shall provide the City with a three dimensional survey of the underground portion to be leased. Such survey shall be satisfactory to the Regional Surveyor. The survey and the lease shall be completed prior to commencement of construction on the City's property.
 - (d) That the City Solicitor be authorized to take steps to close that below grade portion (approximately 95 square feet) of the existing public alley as shown hatched on the attached plan (schedule "b") and that these lands be included in the City lease to the Wellesley Group. The annual rent for this portion shall be \$593.75 per annum plus taxes, to be reviewed every five (5) years of the 99 year lease term.
2. (a) That the Public Works Department, in conjunction with Information Systems, be authorized to obtain 8 additional computer workstations;

- (b) That the estimated leasing cost of \$1 200 for a possible one month in 1989 be funded from overall savings in the salary accounts due to hiring delays, etc.;
 - (c) That the estimated annual leasing costs of \$14 400 be placed in the 1990 budget of this department and an equal offsetting amount be shown as a reduction to staffing costs accounts or other accounts where a saving can be demonstrated due to productivity improvements.
3. (a) That the ravine enhancement for the slope to the rear of the Visitor's Inn at 649 Main Street West, be approved on the basis of the following cost sharing agreement:

City of Hamilton	\$ 7 000
Visitor's Inn	<u>7 000</u>
 Total Cost	 \$14 000

- (b) That the funds currently available in Account No. CH 55399 60437 Business/Industry Roadside Beautification Program, be committed to this project and carried over to allow 1990 implementation.

NOTE: Visitor's Inn has agreed to undertake all annual maintenance on these slopes where the enhancement has taken place.

4. (a) That an additional \$14 500 for November and December, 1989, be paid from Third Sector Recycling Account No. CH56322 60502 to Third Sector Employment Enterprises as per their request to offset the loss in revenue from the sale of newsprint to Quebec and Ontario Paper.
- (b) That the Region of Hamilton-Wentworth be advised of the continually increasing deficit being incurred by Third Section Employment Enterprises and requested to pursue alternate courses of action to minimize the increasing deficit situation for recycling in Hamilton-Wentworth.

5. That the following amounts be transferred from:

- (a) 51000 64105 Shop Salaries to 51000 64001 Admin. Salaries \$52 840
51200 64105 Shop Benefits to 51200 64001 Admin. Benefits \$10 010
- (b) 55601 64001 Rental Equipment Internal \$6 500 to as follows:

55201 64001 Travelling	\$1 000
55204 64001 Training Courses	\$2 000
56001 64001 Office Supplies	\$2 000
58001 64001 Office Equipment	\$1 500

6. That purchase orders be issued for the supply and delivery of Reflective Sheeting as and when required during 1990 by the Traffic Department, appended hereto as Schedule "A", in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

3M Canada Inc., London, - A

Acme Signs, Rexdale, - B

NOTE: Lowest of three (3) tenders received. Funds provided in Traffic Sign Materials Account No. 56154 75999.

7. That a purchase order be issued to Acme Signs Inc., Rexdale, for the supply and delivery of Moisture Proof Drop-on Glass Beads, Traffic Department, as and when required during 1990 at a cost of \$.26 per pound, Provincial sales tax extra at 8%, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Pavement Marking Materials Account No. 56153 75999.

8. That purchase orders be issued for the supply and delivery of Traffic Poles and Signal Arms as and when required during 1990 for the Traffic Department, appended hereto as Schedule "B", in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

Nedco, Hamilton, - A

Wesco, Hamilton, - B

Provincial Sales Tax extra at 8%

NOTE: Lowest of five (5) tenders received. Funds provided in Traffic Signal Materials Account No. 56152 75999.

9. That purchase orders be issued for the supply and delivery of Multi-Conductor Traffic Cable for the Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

Nedco, Hamilton - In the amount of \$10 422

Shawflex, Rexdale - In the amount of \$64 443.60

NOTE: Lowest of six (6) tenders received. Funds provided in Traffic Signal Materials Account No. 56152 75999.

10. That a purchase order be issued to Fortran Traffic Systems, Scarborough, for the supply and delivery of Adjustable Face Traffic and Pedestrian Signal Heads as and when required during 1990 by the Traffic Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Non-Ferrous Traffic Signal Heads	\$264 each
Non-Ferrous Pedestrian Signal Heads	188 each
Polycarbonate Traffic Signal Heads	227 each
Polycarbonate Pedestrian Signal Heads	188 each

Less 17% discount, plus Provincial sales tax at 8%.

NOTE: Lowest of three (3) tenders received. Funds provided in Traffic Signal Material Account No. 56152 75999.

11. That a purchase order be issued to Parkway Ford Sales, Waterloo, in the amount of \$63 002.88 for the supply and delivery of two (2) F450 Cabs and Chassis with Service Bodies for the Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of three (3) tenders received. Funds provided in Automotive Equipment for Outside Operation Accounts CH58002 75120 (\$26 000) and CF5536 758951004 (\$37 002.88).

12. That a purchase order be issued to Wesco, Hamilton in the amount of \$16 964.13 for the supply and delivery of PVC Conduit and Fittings as and when required by the Traffic Department during 1990 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of seven (7) tenders received. Funds provided in Traffic Signal Materials Account No. 56152 75999.

13. That a purchase order be issued to the Canadian Corps of Commissionaires (Hamilton), for parking enforcement services for 1990, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Hourly Rate

Sergeant	\$10.43
Corporal	9.92
Commissionaire	9.50

NOTE: Funds provided in By-Law Services, Traffic By-law Enforcement Account No. CH56323 75020. This represents a 7.3% increase over 1989 rates. The Commissionaire will be receiving a 5% increase and the balance is due to increases in the Ontario Employer Health Tax, Unemployment Insurance increases and one new Statutory Holiday, Boxing Day.

14.
 - (a) That the Traffic Department, in conjunction with Information Systems, be authorized to obtain nine additional computer workstations;
 - (b) That the estimated leasing cost of \$1 125 for the remainder of 1989 be funded from overall savings in the department in the 51001 and 51401 accounts (Salaries, Wages and Benefits) due to delays in hiring;
 - (c) That the estimated 1989 software purchase costs of \$11 000 associated with the computer equipment leasing be funded from overall department savings in the 56103 accounts (Operating Supplies);
 - (d) That the estimated annual leasing cost of \$28 500 be placed in the 1990 budget of this department and an equal offsetting amount be shown as a reduction to staffing costs accounts.
15.
 - (a) That three-way stop control be implemented at the intersection of Queen Victoria and Queensbury Drives; and
 - (b) That southbound traffic on Douglas Street be required to stop for eastbound and westbound traffic on Shaw Street; and
 - (c) That City Traffic By-law 89-72 be amended accordingly.
16.
 - (a) That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a school traffic officer be assigned to the intersection of Herkimer Street and Dundurn Street South; and
 - (b) That, the 1990 School Traffic Officer Budget estimates be increased by \$6 563 to cover the cost of assigning a school traffic officer to this intersection.
17.
 - (a) That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a school traffic officer be assigned to the intersection of Barlake Avenue and Violet Drive, during the three school crossing periods; and
 - (b) That, the 1990 budget estimates be revised to include \$7 220 to cover the cost of assigning a school traffic officer to the intersection of Barlake Avenue and Violet Drive; and

- (c) That parking be prohibited on the north side of Barlake Avenue commencing at a point 41 feet east of the extended east curb line of Violet Drive and extending to a point 40 feet easterly therefrom; and
 - (d) That City Traffic By-law 89-72 be amended accordingly.
- 18.
 - (a) That the existing "No Parking" regulation on the north side of Homewood Avenue from Kent Street to a point 85 feet westerly be removed; and
 - (b) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of East 31st Street between Munn Street and Queensdale Avenue; and
 - (c) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Strathcona Avenue North between Tom Street and York Boulevard; and
 - (d) That a parking prohibition be implemented on the north side of Anna Capri Drive between Upper Gage Avenue and Rita Court; and
 - (e) That a "One Hour Parking Time Limit" regulation to be in affect 24 hours a day, 7 days a week, be implemented on the west side of Belview Avenue between Cannon Street East and the northerly end; and
 - (f) That City Traffic By-law 89-72 be amended accordingly.
- 19.
 - (a) That westbound Traffic on Karen Crescent be required to stop for northbound and southbound traffic on San Antonio Drive; and
 - (b) That the existing yield sign controlling northbound traffic on San Antonio Drive at San Pedro Drive be replaced with a stop sign such that northbound traffic on San Antonio Drive would be required to stop for eastbound and westbound traffic on San Pedro Drive; and
 - (c) That northbound traffic on Karen Crescent be required to stop for eastbound and westbound traffic on San Pedro Drive; and
 - (d) That City Traffic By-law 89-72 be amended accordingly.
- 20.
 - (a) That a permit parking regulation be implemented on the west side of Hughson Street North commencing 104 feet south of Murray Street East and extending to a point 20 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Carmen Alaimo, 277 Hughson Street North; and

- (c) That City Traffic By-law 89-72 be amended accordingly.
21. (a) That in accordance with the request of the Hamilton Street Railway Company, the following bus stop relocation be approved:
- Limeridge Route - eastbound - delete - Limeridge Road, west of Upper Gage Avenue (M/B)
 - add - Limeridge at Upper Gage Avenue (N/S)
- (b) That City Traffic By-law 89-72 be amended accordingly.
22. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Laurier Avenue commencing at a point 234 feet east of Columbia Drive and extending to a point 42 feet easterly therefrom be relocated, such that the regulation commences at a point 98 feet east of Columbia Drive and extends to a point 40 feet easterly therefrom; and
- (b) That City Traffic By-law 89-72 be amended accordingly.
23. (a) That stopping be prohibited on the east side of Dalewood Crescent between Sterling Street and a point 96 feet northerly therefrom; and
- (b) That City Traffic By-law 89-72 be amended accordingly.
24. (a) That a taxi stand be implemented on the north side of Rebecca Street commencing at a point 163 feet west of Catharine Street and extending to a point 42 feet westerly therefrom; and
- (b) That City Traffic By-law 89-72 be amended accordingly.
25. (a) That approval be given to enter into contract with Trevor P. Garwood-Jones Architects Inc. as the Prime Consultant for the New Traffic Operations Centre. The contract amount will be \$455 000.
- (b) That a contract satisfactory to the City Solicitor be entered into between the City and Trevor P. Garwood-Jones Architects Inc.
- (c) That the Mayor and the City Clerk execute the contract on behalf of the City.

NOTE: When the three (3) design concepts for the New Traffic Operations centre are available, they will be presented to the Transport and Environment Committee for approval. Periodic updates will be forwarded to the Transport and Environment Committee members by the project Manager and a public meeting will be held prior to final approval of the project.

- * 26. (a) That an additional amount of \$2 690 be approved for the construction of a catch basin in the unassumed alley to the rear of 25 Mountain Avenue.
- (b) That the cost be financed from Account No. CH 55318 52025 Catch Basin Construction.
- (c) That the firm of Cardeen Construction be engaged at a cost of \$17 000 to construct the catch basin.
- 27. (a) That the application of Dofasco Inc. to enter into an Ingot Coil Truck Agreement to cover the movement of overweight vehicles on various City Streets be approved.
- (b) That the Mayor and City Clerk be authorized to execute this Agreement.
- (c) That consideration be given to including an amount of \$5 000 in the Current Budget for an annual inspection of the route by a qualified consulting engineering firm.
- 28. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of the public walkway from Upper James Street to Allison Crescent, as described as Part 1 on Plan 62R-5020;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law;
- (c) That the Director of Property be directed to proceed with the disposition of the said lands to the abutting owner for the sum of \$1;
- (d) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval for the proposed closing, pursuant to Section 48 of the Regional Act;
- (e) That the City accept from the owner of 1655 Upper James Street a deed to a 3m parcel of land adjacent to the south property limit, as described as part 3 on Plan 62R-10569;

* Recorded vote, see page 1755

- (f) That upon the exchange of the lands indicated above, the City Solicitor be directed to prepare a by-law to lay out and establish a public walkway on Part 3 of Plan 62R-10569.
29. That the applications for Inadvertent Encroachment Agreements as outlined on Schedule "C", appended hereto, be approved during the pleasure of Council provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor, and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
 - (c) That a first year fee and a subsequent annual fee as determined in schedule "C" be set for this privilege.
- * 30. That the action of the Commissioner of Engineering in authorizing CHML Radio Ltd. permission to display a promotional banner across Main Street West in front of City Hall, from Monday, December 04, 1989 to December 11, 1989, with the following message be approved:
- "Please support the CHML Christmas Tree of Hope"
31. That the City of Hamilton accept the sum of \$50 000 as cash payment in lieu of 5% parkland dedication in connection with "Kingsberry Gardens - Phase 4", Hamilton, this being the cash requirement under Section 50 of the Planning Act.
32. That the City of Hamilton accept the sum of \$9 625 as cash payment in lieu of 5% parkland dedication in connection with "Cantelmi Court", Hamilton, this being the cash requirement under Section 50 of the Planning Act.
33. (a) That the submitted schedules for the estimated cost of services in:
- Anchor Road Industrial Park,
Oakdale Estates - Phase 6,
- be adopted for inclusion in the respective Subdivision Agreements with the owners.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners.
- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he should be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-servicing.
- (e) That the City's share of the cost of services for these developments (\$53 949.34) be approved, and that the Co-ordinating Committee recommend the source of funding for these projects.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF SERVICES IN THE GROSS AMOUNT OF \$53 949.34 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS. -CARRIED-

- (f) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to incorporate Block "80", Plan 62M-628, into the Republic Avenue road allowance following the registration of the Plan for "Oakdale Estates - Phase 6. (Note: Block 80, Plan 62M-628 is a 0.3 metre reserve owned by the City.)
34. (a) That A.J. Clarke and Associates be retained by the City to design and administer the construction of roads within Anchor Road Industrial Park Subdivision at an estimated cost of \$20 000;
- (b) That the Co-ordinating Committee be requested to recommend the method of financing.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CONSTRUCTION OF ROADS WITHIN ANCHOR ROAD INDUSTRIAL PARK SUBDIVISION IN THE GROSS AMOUNT OF \$20 000 BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS. -CARRIED-

35. (a) That the Commissioner of Engineering be authorized and directed to reconstruct East 23rd Street from Fennell Avenue to the south leg of MacLennan Avenue in 1989 in conjunction with the ongoing sewer construction at a cost of \$72 000, and resurfacing of East 23rd Street from MacLennan Avenue 75m southerly at a cost of \$10 000.

- * (b) That the Co-ordinating Committee recommend a source of funding for the work.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE RECONSTRUCTION OF EAST 23RD STREET IN THE GROSS AMOUNT OF \$82 000 BE FINANCED FROM THE SURPLUS OF THE 1989 RECONSTRUCTION ACCOUNT.

36. (a) i. That the City Solicitor be authorized and directed to make an application to the District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop up and close the First East/West Alleyway south of Concession Street from East 38th Street to the North/South Alley.
- ii. That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed.
- iii. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court.
- iv. That the Applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
- v. That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of The Regional Municipality of Hamilton-Wentworth Act.
- vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.

Provided the Judge's Order to close the highway is granted:

- (b) i. That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s).
- ii. That the City Clerk be authorized to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.

* Section 35 (b) amended to read:

That the Co-ordinating Committee recommend a source of funding for the work.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE RECONSTRUCTION OF EAST 23RD STREET IN THE GROSS AMOUNT OF \$82 000 BE FINANCED FROM THE SURPLUS OF THE 1989 RECONSTRUCTION ACCOUNT.

-CARRIED-

37. (a) That Section 20 of the 2nd Report of the Transport and Environment Committee adopted by City Council on January 31st, 1989, directing the City Solicitor to prepare a By-law to stop-up, close and sell the unopened road allowance of Holland Avenue at the rear of 560 to 596 Stonechurch Road East be rescinded.
- (b) i. That the City Solicitor be authorized and directed to make an application to the District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close the unopened road allowance of Holland Avenue. The portions of Holland Avenue to be closed are more particularly described as parts 2, 3, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 22, 23, 26, 27, 30, 31, 34, 35 and 38 on the plan prepared by MacKay, MacKay and Peters Ltd., No. S-7123. Parts 7, 8, 9, 10 and 11 on the said plan will be retained.
- ii. That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the road allowance to be closed.
- iii. That documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court.
- iv. That the Applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
- v. That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of The Regional Municipality of Hamilton-Wentworth Act.
- vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners; and

Provided the Judge's Order to close the highway is granted:

- (c) i. That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s).
- ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.

38. *(a) That parking on the south side of Greenhill Avenue in the vicinity east of Quigley Road, be restored to what it was prior to the opening of the Greenhill Avenue extension.
- (b) That the yellow painted median on Greenhill Avenue in the area between Quigley Road and Blanche Court be removed and replaced with a standard centre road dividing line.
- (c) That parking be permitted on the south side of Greenhill Avenue, in the area of the reservoir, from Summercrest Avenue to approximately 30m south of the railroad tracks, during non-rush hour periods only.
- (d) That City Traffic By-law 89-72 be amended accordingly.
39. (a) That stopping be prohibited on the south side of Seventh Avenue from Upper Gage Avenue to a point 590 feet west.
- (b) That City Traffic By-law 89-72 be amended accordingly.
40. That leave be granted to introduce the following Bills:
- (a) B-130 By-law to Establish an Alley west of Wellington Street designated as Parts 1 and 2 on Plan 62R-10690
- (b) B-131 By-law to Incorporate Reserve "A", Plan 970 into Christopher Drive
- (c) B-132 By-law to Incorporate Part 4, Plan 62R-10444 into Chester Avenue
- (d) B-133 By-law to Incorporate Block 24, Plan 62M-409 into Benemar Court
- (e) B-134 By-law to Incorporate Block 18, Plan 62M-382 into Charing Drive
- (f) B-135 By-law to Incorporate Block 116, Plan 62M-528 and Block 23, Plan 62M-409 into Rushdale Drive
- (g) B-136 By-law to Incorporate Reserve "B", Plan 970 into Alderson Drive
- (h) B-137 By-law to close and retain a portion of Augusta Street designated as Parts 1 and 2 on Plan 62R-10660
- (i) B-138 By-law to Incorporate Block 111, Plan 62M--583 into Ashcroft Drive

* Section 38.(a) amended to read:

That parking on the south side of Greenhill Avenue in the vicinity east of Quigley Road, be restored to what it was prior to the opening of the Greenhill Avenue extension, during non-rush hour periods only.

- (j) B-139 By-law to Incorporate Reserve "A", Plan 878 into Malton Drive
- (k) B-140 By-law to Incorporate Parts 1 and 3, Plan 62R-10608, Part 12, Plan 62R-9500 and Block 112, Plan 62M-583 into Rexford Drive
- (l) B-141 By-law to Amend By-law 89-72 to Regulate Traffic
- (m) B-142 By-law to Amend By-law 89-72 to Regulate Traffic
- (n) B-143 By-law to Amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 December 04

/lp

SCHEDULE 'A'

Referred to in Section 6
of the TWENTIETH Report of
the Transport & Environment
Committee

Ref: T17-19-89

REFLECTIVE SHEETING - TRAFFIC DEPARTMENT - 1990

Federal and Provincial sales taxes exempt

DESCRIPTION

	A		B	
	3M CANADA INC. (Bid in Yards)	ACME SIGNS (Yards)	MASUKO INTERNATIONAL (Bid in Yards)	
24" x 50 m - Yellow	\$ 291.00	\$ 327.00	\$375.00	
- Blue	\$ 291.00	\$ 327.00	\$375.00	
- Green	\$ 291.00	\$ 327.00	\$375.00	
6" x 50 m - Orange	\$ 82.50	\$ 81.75	\$102.61	
30" x 50 m - Orange	\$ 363.75	\$ 408.75	\$468.75	
36" x 50 m - Orange	\$ 436.50	\$ 490.50	\$562.50	
3/8" x 50 m - White	\$ 5.63	\$ 5.11	No Bid	
1/2" x 50 m - White	\$ 7.50	\$ 6.82	No Bid	
12" x 50 m Pressure Sensitive Removable Scotchcal Black	\$ 155.00	\$ 186.05	No Bid	
1" x 50 m Scotchlite White	\$ 15.00	\$ 13.65	\$ 25.00	
5" x 50 m White	\$ 75.00	\$ 68.15	\$ 85.94	
8" x 50 m White	\$ 120.00	\$ 109.00	\$137.50	
12" x 50 m White	\$ 180.00	\$ 163.50	\$200.00	
18" x 50 m White	\$ 270.00	\$ 218.00	\$293.75	
24" x 50 m White	\$ 291.00	\$ 324.00	\$375.00	
30" x 50 m White	\$ 363.75	\$ 408.75	\$468.75	
36" x 50 m White	\$ 436.50	\$ 486.00	\$562.50	
1" x 50 m Hi-Intensity Silver	\$ 46.20	\$ 43.15	No Bid	

PAGE TWO

DESCRIPTION	A		B	
	3M CANADA INC. (Bid in Yards)	ACME SIGNS (Yards)	MASUKO INTERNATIONAL (Bid in Yards)	
Pressure Sensitive				
6" x 50 m Orange	\$ 90.00	\$ 81.75	\$103.50	
12" x 50 m White		\$ 406.00	\$200.00	
Scotchcal Dry Adhesive				
24" x 50 m White	\$ 118.00	\$ 756.00	\$487.50	
1/2" x 50 m Black	\$ 408.00	\$ 17.33	No Bid	
5/8" x 50 m Black	\$ 8.50	\$ 20.65	No Bid	
2" x 50 m Black	\$ 10.62	\$ 69.30	No Bid	
24" x 50 m Red	\$ 34.00	\$ 327.00	\$375.00	
4" x 50 m Black	\$ 291.00	\$ 138.60	\$ 85.42	
5" x 50 m Black	\$ 68.00	\$ 173.25	\$114.69	
6" x 50 m Black	\$ 85.00	\$ 207.90	\$126.88	
24" x 50 m Black	\$ 102.00	\$ 775.84	\$487.50	
30" x 50 m Black	\$ 408.00	\$ 971.36	\$609.38	
4" x 50 m Red/Orange	\$ 510.00	\$ 145.00	No Bid	
12" x 50 m White	\$ 104.00	\$ 415.80	\$253.75	
8" x 50 m Black	\$ 204.00	\$ 217.20	\$253.75	
12" x 50 m Black	\$ 136.00	\$ 411.84	\$253.75	
Scotchcal Pressure Sensitive				
12" x 50 m Black	\$ 204.00	\$ 415.80	\$487.50	
12" x 50 m Regional Yellow	\$ 118.00	\$ 250.00	No Bid	
12" x 50 m Bus Yellow	\$ 190.64	\$ 233.07	No Bid	
12" x 50 m Regional Blue	\$ 190.64	\$ 233.07	No Bid	

PAGE THREE

B

MASUKO INTERNATIONAL
(Bid in Yards)ACME SIGNS
(Yards)3M CANADA INC.
(Bid in Yards)DESCRIPTIONScotchlite Dry Adhesive

30" x 50 m Yellow

36" x 50 m Yellow

6" x 50 m Green

8" x 50 m Green

24" x 50 m High Intensity, Silver

Scotchlite High Intensity Silver

30" x 50 m

36" x 50 m

Scotchlite Dry Adhesive High Intensity Yellow

24" x 50 m

30" x 50 m

2" x 50 m Scotchlite Pressure

Sensitive White Traffic Cones

SECTION B3M Stamark Brand Pavement Tape #5730 or equivalent- Permanent White Pavement markings

4" x 30 m

4" x 120 m

8" x 30 m

8" x 120 m

3M Stamark Brand Pavement Tape #5731 or equivalent- Permanent Yellow Pavement markings

4" x 30 m

4" x 120 m

\$ 363.75

\$ 436.50

\$ 82.50

\$ 120.00

\$1,029.00

\$1,286.25

\$1,543.50

\$1,209.00

\$1,286.25

\$ 80.00

\$ 115.16

\$ 460.64

\$ 230.32

\$ 460.64

\$ 115.16

\$ 460.64

\$ 408.75

\$ 490.50

\$ 81.75

\$ 109.00

\$1,035.00

\$1,293.75

\$1,552.50

\$1,035.00

\$1,293.75

\$ 79.80

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

No Bid

A
3M CANADA INC.
 (Bid in Yards)

DESCRIPTION

MASUKO INTERNATIONAL
 (Bid in Yards)

ACME SIGNS3M Stamark Brand Pavement Arrows or equivalent

Straight package of 2 3M-SMS 2901	\$ 170.00	No Bid	No Bid
Left package of 2 3M-SMS 2902L	\$ 190.00	No Bid	No Bid
Right package of 3M-SMS 2902R	\$ 190.00	No Bid	No Bid
Straight/Right Fillet package of 4 3M-SMS 2905R	\$ 53.00	No Bid	No Bid
Straight/Left Fillet package of 4 3M-SMS 2905L	\$ 53.00	No Bid	No Bid
<u>3M Detour Grade Pavement Tape #5701 or equivalent</u>			
- Detour Grade White pavement markings 4" x 30 m	\$ 160.00	No Bid	No Bid
4" x 120 m	\$ 598.00	No Bid	No Bid
<u>3M Detour Grade Pavement Tape #5711 or equivalent</u>			
- Detour Grade pavement markings 4" x 30 m Yellow	\$ 160.00	No Bid	No Bid
4" x 120 m Yellow	\$ 598.00	No Bid	No Bid
6" x 40 m Black	No Bid	No Bid	No Bid
Delivery Lead Time	10 days	1 week	6 weeks
Discount if total order	N/A	1%	5%

UNABLE TO BID - L & L Sales

OFFICIALS IN ATTENDANCE - B. Hinkley, Alderman; K. Avery, Deputy Clerk; T. Bradley, Manager of Purchasing

SCHEDULE 'B'

Referred to in Section 8
of the TWENTIETH Report of
the Transport & Environment
Committee

Ref: T17-20-89

THE CORPORATION OF THE CITY OF HAMILTON

TRAFFIC POLES AND HARDWARE AND TRAFFIC SIGNAL ARMS, 1990

Provincial sales tax extra at 8%

	NEDCO	A	SENTINEL	GUILLEVIN	WESCO	B	ELLIS & HOWARD
SINGLE MEMBER ARM WITHOUT POLE PLATE							
Signal Head Hangers	\$ 97.00		\$ 99.00	\$105.00	\$106.89		\$ 113.65
4SMA 4'	\$ 80.00		\$ 88.00	\$ 84.00	\$ 45.35		\$ 91.00
6SMA 6'	\$ 83.00		\$ 89.00	\$ 87.15	\$ 51.54		\$ 94.30
8SMA 8'	\$ 95.00		\$103.00	\$ 99.75	\$ 64.92		\$ 108.00
10SMA 10'	\$125.00		\$135.00	\$131.24	\$ 86.49		\$ 142.00
12SMA 12'	\$140.00		\$153.00	\$147.00	\$ 95.61		\$ 159.00
15SMA 15'	\$250.00		\$275.00	\$262.50	\$166.27		\$ 284.00
18SMA 18'	\$325.00		\$350.00	\$341.25	\$240.52		\$ 369.00
SINGLE MEMBER ARM COMPLETE WITH POLE PLATE FOR ROUND POLE 6 - 6-15/16" DIA							
TR4SMA67 4'	\$180.00		\$195.00	\$189.00	\$202.32		\$ 204.50
TR6SMA67 6'	\$183.00		\$195.00	\$192.15	\$208.50		\$ 208.00
TR8SMA67 8'	\$195.00		\$205.00	\$204.75	\$221.87		\$ 221.60
TR10SMA67 10'	\$235.00		\$250.00	\$246.75	\$287.23		\$ 267.00
TR12SMA67 12'	\$254.00		\$275.00	\$266.70	\$296.38		\$ 288.60
TR15SMA67 15'	\$353.00		\$375.00	\$370.65	\$367.04		\$ 401.00
SINGLE MEMBER ARM COMPLETE WITH POLE PLATE FOR ROUND POLE 7 - 8" DIA							
TR18SMA78 18'	\$425.00		\$460.00	\$446.25	\$478.32		\$ 483.00
TR20SMA67 20'	\$465.00		\$490.00	\$488.25	\$504.92		\$ 528.40

PAGE TWO

NEDCO A		SENTINEL		GUILLEVIN		WESCO B		ELLIS & HOWARD	
SINGLE MEMBER ARM COMPLETE WITH POLE PLATE FOR WOOD POLE 8 - 10" DIA									
TW4SMA81 4'	\$155.00	\$165.00	\$162.75	\$168.71	\$ 176.00				
TW6SMA81 6'	\$163.00	\$175.00	\$171.15	\$174.89	\$ 185.00				
TW8SMA81 8'	\$173.00	\$185.00	\$181.65	\$188.26	\$ 197.00				
TW10SMA81 10'	\$207.00	\$220.00	\$217.35	\$253.61	\$ 235.00				
TW12SMA81 12'	\$226.00	\$240.00	\$237.30	\$262.75	\$ 257.00				
TW15SMA81 15'	\$335.00	\$350.00	\$351.75	\$333.41	\$ 381.00				
TW18SMA81 18'	\$400.00	\$435.00	\$420.00	\$425.02	\$ 455.00				
POLE PLATE ONLY FOR 4, 6 OR 8' SMA FOR ROUND POLE 6 - 6-15/16" DIA									
R 4/6/8 67	\$105.00	\$115.00	\$1101.25	\$156.96	\$ 119.00				
POLE PLATE ONLY FOR 10, 12 OR 15' SMA FOR ROUND POLE 6 - 6-15/16" DIA									
R 10/12/15 67	\$125.00	\$135.00	\$131.25	\$200.76	\$ 142.00				
POLE PLATE ONLY FOR 4, 6 OR 8' SMA FOR WOOD POLE 10" DIA									
W 4/6/8 81	\$ 90.00	\$100.00	\$ 94.50	\$123.36	\$ 102.00				
POLE PLATE ONLY FOR 10, 12 OR 15' SMA FOR WOOD POLE 8 - 10" DIA									
W 10/12/15 81	\$100.00	\$110.00	\$105.00	\$167.14	\$ 113.60				
W 18/20/22 81	\$115.00	\$125.00	\$120.75	\$184.47	\$ 130.00				
POLE PLATE ONLY FOR 4, 6 OR 8' SMA FOR ROUND POLE 10 - 12" DIA									
R 4/6/8 1012	\$130.00	\$143.00	\$136.50	\$156.96	\$ 147.70				
POLE PLATE ONLY FOR 10, 12 OR 15' SMA FOR ROUND POLE 10 - 12" DIA									
R 10/12/15 1012	\$150.00	\$165.00	\$157.50	\$200.76	\$ 170.50				

PAGE THREE

<u>NEDCO</u> A		<u>SENTINEL</u>	<u>WESCO</u> B	<u>ELLIS & HOWARD</u>
<u>POLE PLATE ONLY FOR 18, 20 OR 22' SMA FOR ROUND POLE 10 - 12" DIA</u>				
R 18/20/22 1012	<div>\$160.00</div>	\$175.00	\$237.80	\$ 181.80
TP10819-H-AB 19' Wall Thickness .250	\$973.00	\$9489.00	<div>\$918.31</div>	\$1,051.00
TP8619 AB 19' 8" Base DIA	\$636.00	\$553.00	\$492.52	\$ 687.00
TP6415 AB 15' 6" Base DIA	\$400.00	\$349.50	\$307.14	\$ 432.00
TP6412 AB 12' 6" Base DIA	\$368.00	\$310.00	\$270.31	\$ 398.00
TP6408 AB 8' 6" Base DIA	\$326.00	\$290.00	\$217.45	\$ 352.00
Delivery Lead Time	Arms 3-5 wks. Poles 8-10 wks.	8-9 weeks	10 weeks	10-12 weeks

OFFICIALS IN ATTENDANCE - Alderman

E. A. Simpson, City Clerk

T. Bradley, Manager of Purchasing

SCHEDULE 'C'

Referred to in Section 29
of the TWENTIETH Report of
the Transport & Environment
Committee

<u>Address/Location</u>	<u>Type of Encroachment</u>	<u>Owner</u>	<u>Solicitor/Agent Address</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
119 Ray Street South, Ray Street	Concrete Steps 6.0' X 4.0' Building 48.0' X 1.4' fire escape 10.0' X 3.0'	Linda Vilniskaitis - Sayle	Gary Sayle 44 Hiltz Drive Stoney Creek, Ontario L8N 3H6	\$131.00	T103-50(780)
21 Picton Street W., Picton Street	Porch and Steps 17.0' X 4.70'	Evsebio & Maria Matilde	Borkovich and Ingrassia Barristers and Solicitors 1 Main Street East Hamilton, Ontario. L8N 1E7	\$125.00 / \$20.00	T103-50(836)
15 Land Street	Wood Steps	Gary E. Hunt	Arnold S. Handelman Barrister and Solicitor 34 Village Centre Place Mississauga, Ontario. L4Z 1V9	\$125.00 / \$20.00	T103-50(831)
212 Ottawa Street S., Encroachment on Sherbrooke Street	Portion of a 2 1/2 storey brick building measuring 2.66' X 29.55' Attached alcove measuring 1.18' X 8.15' A wood deck measuring 0.67' X 12.6' Above ground pool measuring 1.45' X 6.05' A porch measuring 1.3' X 7.4'	Peter Bailey and Angie Lorraine Bailey	Winchie and Lennox Barristers and Solicitors 112 Hughson Street South Hamilton, Ontario L8N 2B2	\$125.00 / \$25.00	T103-50(795)
8 East 31st Street	Enclosed porch measuring 2.2' X 20.6'	Mr. and Mrs. Clancy Bromley	Hastings Charlebois, Feltmate Barristers and Solicitors 3410 South Service Road Burlington, Ontario. L7N 3T2	\$125.00 / \$20.00	T103-50(832)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its TWENTY-THIRD Report for 1989 and respectfully recommends:

1.
 - (a) That the Red Hill Creek Recreation and Open Space Master Plan Final Report as prepared by Moore/George Associates Inc. dated 1989 November be adopted; and
 - (b) That the Bruce Trail Association be requested to pursue possible cost-sharing arrangements and the priority for development of a structure over the Red Hill Creek Freeway along the optimum route for the Bruce Trail; and
 - (c) That the Regional Municipality of Hamilton-Wentworth be requested to undertake Option #1 of the Melvin Avenue Interchange to form the optimum pedestrian link over the Red Hill Creek Freeway after consultation with the schools and the public in that area, and,
 - (d) That the Ministry of Transport Ontario be requested to recognize that the City intends to pursue development of a pedestrian bridge over the Queen Elizabeth Way (Q.E.W.) and that the Ministry of Transport Ontario take this structure into consideration in the design and development of interchanges with the Q.E.W.
 - (e) That the Parks Division of the City's Public Works Department pursue cost sharing with the Ministry of Transport Ontario for the pedestrian overpass structure at Greenhill Avenue recognizing that the City will incur added costs for a pedestrian link across the valley at this location as a result of freeway development.
 - (f) That the pedestrian link at the Arbour Road crossing be reviewed in concert with the Conservation Authority's area development in order that additional costs can be included in the Capital Budget once warrants are met.
- * 2. That the contractual agreement with Geraldo Catering Inc., the tenant concession operation at King's Forest Sports Park, be amended to require an annual full "up front" payment which would include realty taxes, subject to the following terms and conditions:

- The first year term of \$24 307.56

* Recorded vote, see page 1756

- The subsequent years be subject to an annual 5% escalation clause.

NOTE: The proposed contract amendments are consistent with the concession agreement accepted for Chedoke Sports Park food concession.

3. That a purchase order be issued to Weinmann Electric Ltd., Fort Erie, in the amount of \$31 984 for Pathway Lighting, Gage Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Gage Park Lighting Account No. CH56398 62910.

4. (a) That the purchase order for the maintenance agreement with American Sign and Indicator Corporation for the Ivor Wynne Stadium sign be increased by \$504.96 due to an increase in the exchange rate, an index adjustment and taxes.

NOTE: The amount originally approved by City Council was \$12 623.40. Funds are provided in the Promotion and Publicity Account No. CH56302 70001.

- (b) That the purchase order with Print Marketing Agency be increased by \$1 003.20 to cover the cost for distributing 20 000 additional copies of the Recreation Facilities Brochure.

NOTE: The amount originally approved by City Council was \$26 567.57. Funds are provided in Work Done For Others Account No. CH56398 62910.

5. (a) That the Public Works Department, in Conjunction with Information Systems, be authorized to obtain 5 additional computer workstations;
- (b) That the estimated leasing cost of \$750 for a possible one month in 1989 be funded from overall savings in the salary accounts due to hiring delays, etc.;
- (c) That the estimated annual leasing costs of \$9 000 be placed in the 1990 budget of this department and an equal offsetting amount be shown as a reduction to staffing costs accounts or other accounts where a saving can be demonstrated due to productivity improvements.

6. That the City of Hamilton Property Department be authorized to enter into negotiations with the owner of Part of Lots 2 and 3 on Spruceside Avenue for the purchase of this property for park purposes.
7. That the site for the future Twin-Pad Recreation Facility on the West Mountain be located on the grounds of the Chedoke Hospital, subject to the land lease agreements suitable to the Chedoke Health Corporation and the Corporation of the City of Hamilton.

NOTE: With the acceptance of this recommendation, approvals will be requested from the Chedoke Health Corporation and the Chedoke Hospital Board. These approvals will be subject to the appropriate lease arrangements being entered into which should take one month. A six month architectural tendering process will be initiated and O.M.B. approvals will be requested for the new site. A fourteen to eighteen month construction schedule is anticipated.

8. (a) That the Corporation of the City of Hamilton host the 1991 Ontario Disabled Games, July 18-21, in co-operation with the Ontario Ministry of Tourism and Recreation, at a cost not to exceed \$4 000.
- (b) That the Co-ordinating Committee be requested to recommend the method of financing.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT
THIS EXPENDITURE BE FINANCED FROM THE RESERVE
FOR HOSTING OF CONFERENCES WITH MUNICIPAL
SUBJECT CONTENT. -CARRIED-

9. That all Municipal Playstructures located on city parks or school grounds be affixed with identifying signage plates which:
 - Recognize the Corporation of the City of Hamilton
 - Recognize the partnership of any joint venture
 - Identify the playground watch telephone number
10. That the Director of Culture and Recreation be authorized to pursue, with the Commissioner of Human Resources, a contract for the position of Canusa Games Co-ordinator, subject to the terms and conditions suitable to the Parks and Recreation, Co-ordinating and Personnel Committees.

NOTE: Said contract is to be on a year to year basis with all renewals to be subject to the approval of the Parks and Recreation Committee.

11. That Section (b) of the City's Policy on Naming of Parks be amended to include the donation of land and read as follows:
- (b) Naming a park or facility after an individual or organization that donated land and/or money toward the purchase of the park or facility or for the development of same.
- That Committee to consult with the individual or the next of kin, as the case may be, to secure approval for the naming of a park in honour of an individual.
12. For the information of Council, the following revised Terms of Reference were approved for the Arts Advisory Sub-Committee, by the Parks and Recreation Committee:
- (a) That the Arts Advisory Sub-Committee's general mandate is to act in an advisory capacity to the Parks and Recreation Committee on matters related to the arts in Hamilton.
- (b) That the Arts Advisory Sub-Committee draft an Art in Public Places Policy and submit it to the Parks and Recreation Committee for consideration.
- (c) That the Arts Advisory Sub-Committee monitor and review the "Policy For The Arts" on an ongoing basis and meet annually with the Arts Community for its input and information.
- (d) That the Arts Advisory Sub-Committee administer the Hamilton Arts Award on an annual basis.
13. That leave be granted to introduce the following Bill:
- Bill C-3 Amendment to Cemeteries By-law No. 8861 - Revised Tariff of Charges

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1989 December 05

/lp

* REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its TWENTY-FOURTH Report for 1989 and respectfully recommends:

1. ** (a) That the City of Hamilton agree that the Applicants' appeal to the Ontario Court of Appeal be dismissed, without costs at the Court of Appeal or below.
- (b) That the City Solicitor be authorized to execute all documentation necessary to carry out the dismissal of the appeal.

RESPECTFULLY SUBMITTED,

John Thompson,
Acting Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1989 December 12

/lp

- * *Report added during Council*
** *Section 1(a) amended to read:*

With respect to the Supreme Court Action of Wade et al-v-the Corporation of the City of Hamilton and the Hamilton Baseball Associates, that the City of Hamilton agree that the Applicants' appeal to the Ontario court of Appeal be dismissed, without costs at the Court of Appeal or below.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TWENTY-EIGHTH** Report for 1989 and respectfully recommends:

1. That the 1990 meetings of the Planning and Development Committee commence at 9:00 o'clock a.m., and that the Public Meeting portion of the Committee Agenda for the purpose of hearing Zoning applications be held from 10:30 o'clock a.m., until no later than 1:00 o'clock p.m.
- * 2. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 153 Eleanor Avenue
 - (b) 104 Ainslie Avenue
3. That a repayable loan, in the amount of fifteen thousand dollars (\$15 000.) be approved under the Commercial Facade Loan Programme for 314 James Street North, Mr. Tatiana Giambattista at an interest rate of 6 3/4 percent, amortized over 10 years.
4. (a) That Section 8 of the Seventeenth Report of the Planning and Development Committee as approved by City Council on 1989 July 25 be amended as follows:
 - (i) the closing date be extended from 1989 November 21 to 1990 February 22.
 - (ii) the construction commencement date in paragraph 6.3.1 of the Purchase Agreement be extended from 1990 March 21 to 1990 September 22.
 - (iii) the construction completion date in paragraph 6.3.2 of the Purchase Agreement be extended from 1991 March 21 to 1991 September 22.
- (b) That all other terms and conditions remain the same and time shall be of the essence.

* *Section 2 amended, see page 1804*
Recorded vote on Rule 8, see page 1756

5. That the City of Hamilton accept the sum of \$9 625. as cash payment in lieu of 5% parkland dedication in connection with "Cantelmi Court", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located north of Rymal Road and west of Upper Ottawa Street in the Templemead Neighbourhood, Hamilton.

6. That the City of Hamilton accept the sum of \$50 000. as cash payment in lieu of 5% parkland dedication in connection with "Kingsberry Gardens - Phase 4", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located north of Limeridge Road and west of Upper Kenilworth Avenue in the Lisgar Neighbourhood, Hamilton.

7. (a) That the enclaves acquisition program for Alpha East (east of Sherman), Leeds, Biggar and Stapleton be put on hold and that the remaining properties in Alpha West (West of Sherman) be acquired under the current acquisition program.
- (b) That the costs of acquisition and sale price of industrial land be monitored and a re-evaluation of the program carried out in 1990 in conjunction with the Business Land Use Advisory Board.
- (c) That a budget proposal be forwarded to the Co-ordinating Committee for consideration for inclusion in the 4th and 5th year of the 1990 - 1994 City of Hamilton capital budget.
8. (a) That approval be given to Subdivision Application SA-89-12 "Eastgate Heights Extension", Landmart Building Corporation, owner, to establish a draft plan of subdivision located at the easterly termination of Village Drive, north of Delawana Drive and West of Centennial Parkway, subject to the following conditions:
- (i) That this approval apply to the plan prepared by Ashenhurst Nouwens Ltd., dated 1989 June 9, revised to show 2m x 2m daylight triangles at the intersection of Village Drive with Fairington Crescent and by deleting the area of Fairington Crescent.
- (ii) That the street be dedicated as a public highway on the final plan.

- (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (vi) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 - (viii) That Blocks "7" to "12" inclusive be developed only in conjunction with adjacent lands.
 - (ix) That all lots fronting on Fairington Crescent not receive final approval prior to the registration of Eastgate Heights plan of subdivision (25T-86009).
 - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-89-12), Landmart Building Corporation, owner, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal service has been approved by City Council.
- (c) That the neighbourhood plan be amended accordingly.

9. That approval be given for Condominium Application SA-89-17, "Rymal Industrial Estates", Dunston Developments Inc., owner, to establish a draft plan of condominium located on the east side of Upper Ottawa Street, north of Rymal Road, subject to the following conditions:
- (a) That this approval apply for the plan prepared by Guido Consoli Surveying Ltd., dated 1989 February 10.
10. (a) That approval be given to Subdivision Application SA-89-09, Shedaco Holdings Limited, owner, to establish a draft plan of subdivision south of Rymal Road West, west of Christie Street, subject to the following conditions:
- (i) That this approval apply to the plan prepared by Ashenhurst Nouwens Limited dated 1989 November 8, revised to show 18 lots, 1 block for future development with abutting lands, 1 block for park purposes and 1 block for 0.3m reserve.
- (ii) That the plan not receive final approval before a road access is established to this plan of subdivision and the storm and sanitary sewer system as well as municipal water services are available to service this plan of subdivision.
- (iii) That the streets be dedicated as public highways on the final plan.
- (iv) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (v) That the final plan conform with the Zoning By-law approved under The Planning Act.
- (vi) That the owner convey 5% of the lands included in the plan to the City of Hamilton for park purposes, said conveyance to comprise part of Block "20".
- (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

- (ix) That the dead-end of the road allowance (Block "21") created by the plan be terminated in a 0.3m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
 - (x) That Block "19" be developed only in conjunction with abutting lands.
 - (xi) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of the final release by the City of Hamilton.
 - (xii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-89-09), Shedaco Holdings Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the Kennedy East Neighbourhood Plan be amended accordingly to reflect the changes established by the draft plan of subdivision.
11. (a) That the proposed draft plan of subdivision "Wellington Chase - Phase 2", Wellington Chase Inc., owner, in the City of Hamilton under Regional File No. 25T-87010, as approved by Regional Council on 1987 December 1 be revised by showing 58 street townhouse properties and a road within the area of Block "191" and by adding the following conditions after condition (j):
- (k) That Street "A" must be established to a width of 20m with a hammerhead at the termination of this cul-de-sac. Furthermore, Street "A" should be widened by 3.75m to 23.75m from the south property line of Lot 41 to the south limit of the plan;

- (l) That direct access to Lots 1 to 20 inclusive not be permitted from Upper Wellington Street. Access to Upper Wellington Street shall only be permitted through two common access points. Therefore, a minimum width of 6.0m mutual right-of-way be established along the westerly limits of the lots 1 to 20 inclusive immediately adjacent to the Upper Wellington Street road allowance as widened;
 - (m) That all lots (Nos. 1 to 58 inclusive) be subject to and comply with the requirements of the approved Site Plan Application DA-89-75;
 - (n) That prior to the final approval of this revision the owner receive an approval by the Committee of Adjustment for Lots 37 to 40 and 55 to 58 inclusive for a variance to the provisions of the applicable zoning district.
 - (b) That the alphanumerical numbering of the remaining conditions be changed accordingly.
12. (a) That the Planning and Development Department be authorized to acquire one computer graphics workstation to enhance Urban Design Services at a cost not exceeding \$60 000.
- (b) That the cost of this additional workstation be financed from anticipated savings in the Current (1989) salary and benefits accounts.

NOTE: The Planning and Development Department wishes to acquire a computer graphics workstation that will enhance the current level of urban design services.

13. (a) That City Council, in accordance with the provisions of Section 34(2) (b) of the Ontario Heritage Act, 1983, refuse the demolition application, hence prohibiting any work of demolishing or removing any building or structure on the property known as 65 Markland Street, for a period of 180 days; and
- (b) That no demolition permit be issued for 65 Markland Street until such time as the owner obtains a building permit. The demolition permit could then be issued in accordance with Section 33(6) of The Planning Act.

NOTE: Under no circumstances could any demolition permit be issued prior to the expiration of the above-noted 180 day period.

14. That approval be given to amended Zoning Application 89-28, James Zaborsky, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit single-family residential development for property located on the west side of Annabelle Street, north of Stone Church Road West, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located on the west side of Annabelle Street, north of Stone Church Road West.

The effect of the By-law is to create two single-family residential building lots.

15. That Zoning Application 89-70, Elia Investments (Hamilton) Limited, owners, requesting a modification to the established "R-4" (Small Lot Single-Family Detached) District regulations to permit 12 semi-detached dwellings in a "block form" of development with a common access drive from Stone Church Road, for property located at 718 and 720 Stone Church Road East, as shown on the attached map marked as Appendix "B", be DENIED for the following reasons:

- (a) It conflicts with the intent of the Official Plan, in that the proposed development would contribute to the indiscriminate mix of housing types in this area comprised primarily of single-family dwellings.
- (b) It does not comply with the approved Eleanor Neighbourhood Plan which designates the site for "single and double" residential use, in that the proposal is representative of a townhouse type development rather than conventional semi-detached dwellings.
- (c) It represents an over-intensification of land use, in that the proposed development would provide 24 units whereas conventional semi-detached development would yield approximately 16 units.

- (d) The proposed development is considered inappropriate and not in the interests of good planning.
- (e) Approval of the application may encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law.

16. That approval be given to Zoning Application 89-85, 814904 Ontario Inc. (O. Zendel), owner, requesting a change in zoning from "G-3" (Public Parking Lots) District to "HH" (Restricted Community Shopping and Commercial) District, modified to permit a one storey, 1 003 m² addition to the building located at 1171 Upper James Street, as shown on the attached map marked as Appendix "C" on the following basis:

- (a) That the subject lands be rezoned from "G-3" (Public Parking Lots) District to "HH" (Restricted Community Shopping and Commercial District;
- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 14A(2), no building or structure shall exceed one storey in height.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-760a, and that the subject lands on Zoning District Map E-9B be notated S- 760a;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9B for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (f) That as a condition of Site Plan Approval, the applicant agree in writing, that only a right-in/right-out access will be permitted at the southerly portion of the property when the interchange is in operation.

NOTE: The purpose of the By-law is to provide for a change in zoning from "G-3" (Public Parking Lots) District to "HH" (Restricted Community Shopping and Commercial) District modified, for the property located at the rear of 1171 Upper James Street.

The effect of the by-law is to permit a one storey, 1003 m² addition to the building located at 1171 Upper James Street.

17. That approval be given to Zoning Application 89-93, Henry and Shirley Joldersma, owners, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District to create four building lots for single-family residential dwellings, for property located at the rear of 311 Rymal Road East, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18D and E-18E for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 311 Rymal Road East.

The effect of the By-law is to subdivide the subject property to create four (4) building lots for single-family dwellings, fronting onto the street at the rear (Bastille Street).

18. (A) That Zoning Application 89-77, 766284 Ontario Ltd., (F. Kumoi) owner, requesting changes in zoning from "AA" (Agricultural) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified (Block "1"), and "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs etc.) District modified (Block "2"), to permit the construction of a 12 storey, 106 unit apartment building, for the property located north of Queenston Road and west of Grays Road, as shown on the attached map marked as Appendix "E", be DENIED for the following reasons:
- (a) It conflicts with the intent of the Official Plan, in that the height and bulk of development would not integrate with the surrounding area, and is incompatible with the existing and proposed uses.
 - (b) It conflicts with the intent of the approved Riverdale East Neighbourhood Plan which designates the lands "Commercial-Special Provisions." In this regard, it is intended that these lands be developed with the commercial lands fronting on Queenston Road.

- (c) It represents an overintensification in land use, in that the proposed development would have a floor area ratio (F.A.R.) of 3.1, whereas the maximum permitted under the "E" district regulations is 1.7. The development, would yield approximately 216 units per hectare (90 units per acre) which is considered as high density development.
- (d) The applicant proposes to use a portion of the subject lands for 12 of the 24 required parking spaces for Northside Plaza (located to the south of the subject lands). This arrangement is unsuitable, in that the plaza will no longer be able to meet By-law requirements and it is contrary to the Zoning By-law which prohibits access for a commercial development within a residential district.

(B) That the City Clerk be authorized to notify the City of Stoney Creek of City Council's decision.

* 19. That Zoning Application 89-81, St. Marks (Hamilton) Non-Profit Housing Inc. prospective owner, requesting a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, to permit a 10 storey, 48 unit non-profit apartment building, and conversion of part of the existing church building to office use for the Anglican Church-Niagara Diocese, and part for a chapel for property located at 130 Bay Street South, as shown on the attached map marked as Appendix "F" be DENIED for the following reasons:

- (a) The proposal does not comply with the intent of the Official Plan in that the scale, density and bulk of development would be incompatible with the established character of development in this area. Furthermore, the office component cannot be considered as a permitted use within the Residential designation, because it does not primarily depend upon pedestrian access, nor does it serve the needs of the immediate neighbourhood.
- (b) The proposal does not comply with the intent of the approved Durand Neighbourhood Plan which designates the site for "Civic and Institutional" use.
- (c) The proposal conflicts with the intent of the Central Area Plan (O.P.A. 66) which encourages the location of commercial offices in the Downtown Core.
- (d) The proposal represents an over-intensification of use, in that the proposed floor area ratio (3.77 or 5 318.0m²) is approximately 2.2 x greater than what is permitted under the established "E-3" District zoning (1.7 or 2 394.45m²). In addition, the required variances for yards, landscaping, etc. are further indications of over-intensification.

* Recorded vote, see page 1757

- (e) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan, Neighbourhood Plan and Zoning By-law; and
 - (f) It would result in only partial preservation of a listed building of architectural and historical interest.
- 20.
- (a) That the Central Neighbourhood Plan be amended to change the Tiffany Block from "Commercial-Industrial" to "Medium Density Apartments" with special policies shown on Map 1, attached herewith and marked Appendix "G".
 - (b) That the necessary Official Plan amendment and the Zoning By-law amendment (Application ZA-88-98) be held in abeyance pending:
 - (i) The completion of a noise impact study to the satisfaction of Council; and,
 - (ii) The completion of decommissioning plan for the auto wrecking site to the satisfaction of the Ministry of the Environment.
21. That leave be granted to introduce the following Bills:
- | | |
|------------|-----------------------------------------------------------------------------------------------------------------------|
| Bill D-151 | A By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 132 Stone Church Road West |
| Bill D-152 | A By-law to Amend Zoning By-law No. 6593 respecting Land Located at the Rear of Municipal No. 1066 Upper James Street |
| Bill D-153 | A By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 340 Limeridge Road East |
| Bill D-154 | A By-law to Amend Zoning By-law No. 6593 respecting Land Located at the Rear of Municipal No. 1171 Upper James Street |

- Bill D-155 A By-law to Adopt Official Plan Amendment No. 80
 respecting Official Plan Major (Five Year) Review
- Bill D-156 A By-law to Repeal By-law No. 89-271 respecting
 Land Located at Municipal No. 37 Strathcona Avenue North
 (Formerly Strathcona Fire Station)

Respectfully Submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder
Secretary
1989 November 29th

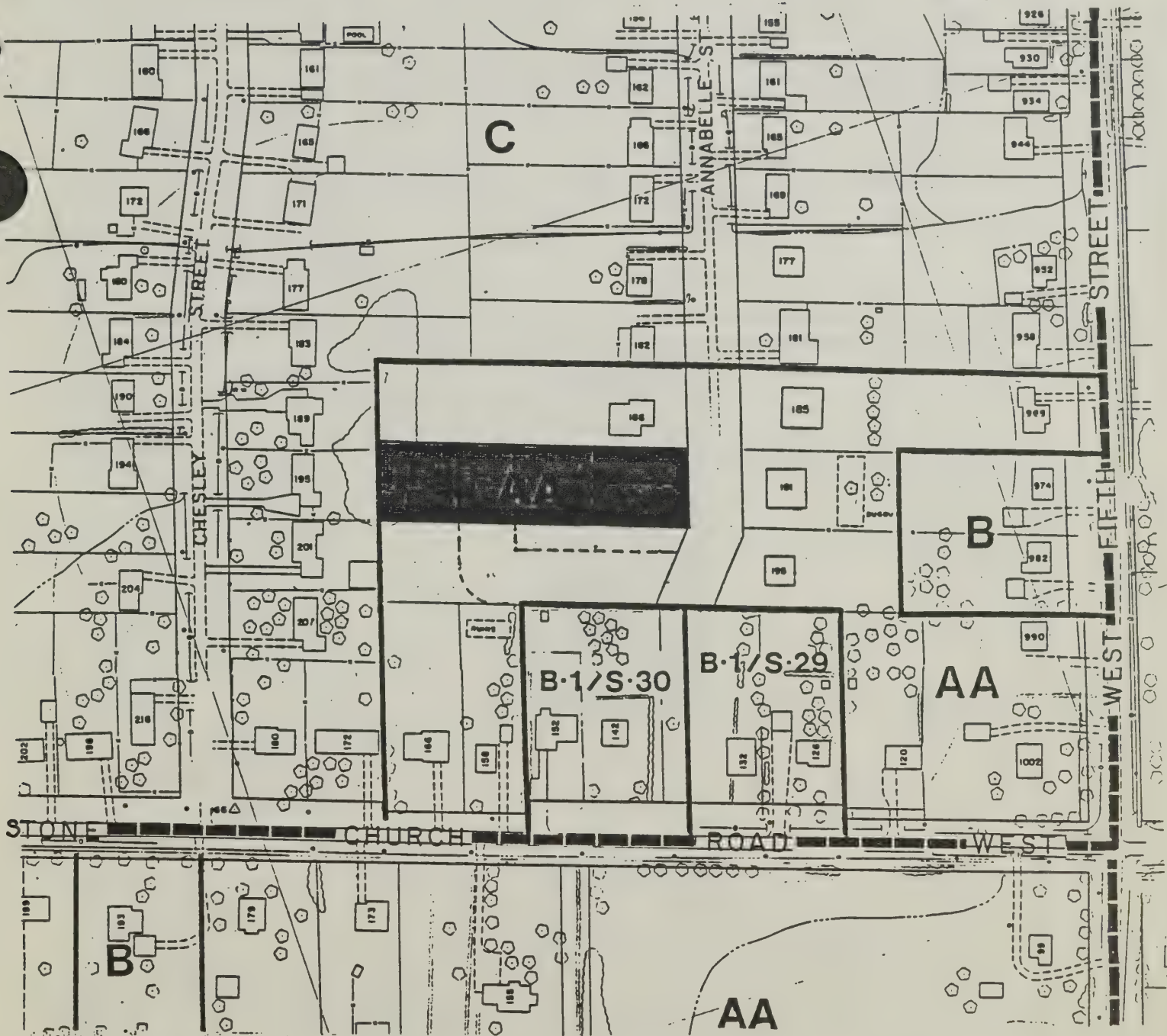
mjw

Section 2 amended to read:

That the Building Commissioner be authorized to issue demolition permits for the following properties:

- (a) 153 Eleanor Avenue*
- (b) 104 Ainslie Avenue*
- (c) 454 Main Street West*
- (d) 456 Main Street West*
- (e) 458 Main Street West*

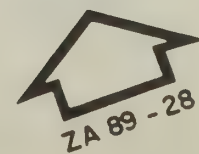
That issuance of the demolition permits for the properties referred to in sub-sections (c), (d) and (e) be subject to the approval of the Planning and Development Committee at its meeting on December 13, 1989.



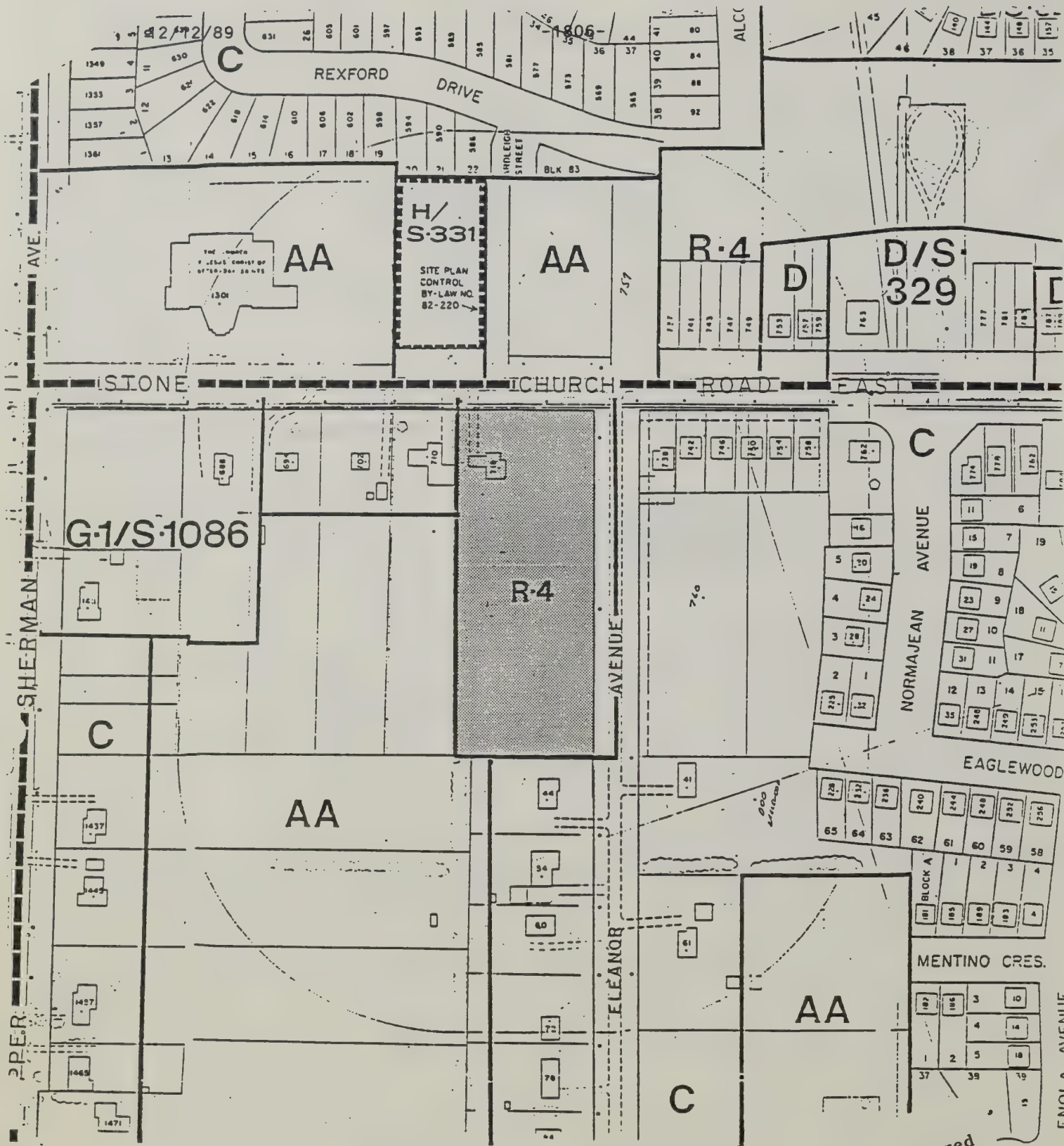
Legend



Site of the Application



APPENDIX A

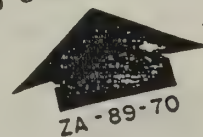


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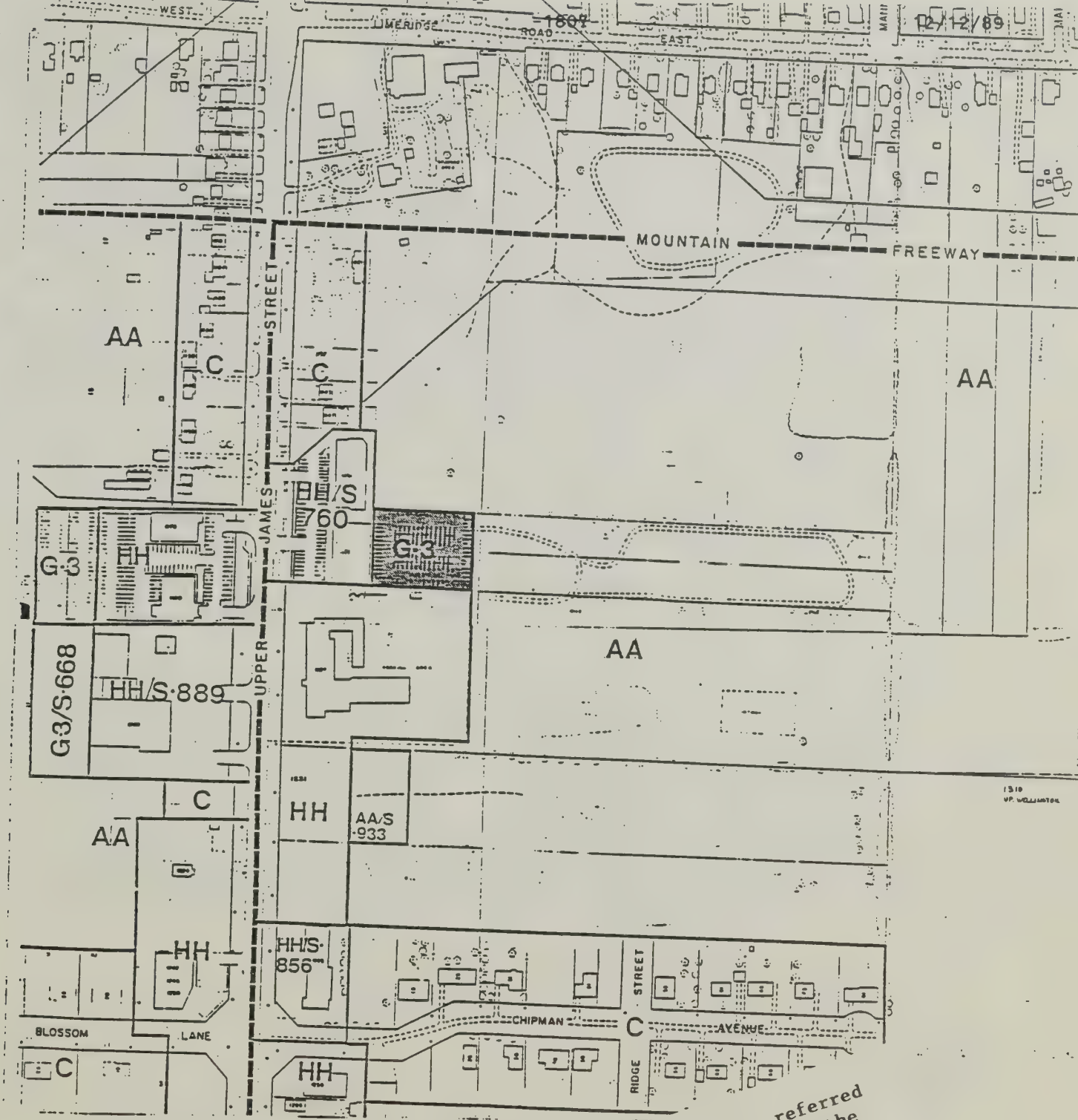


Site of the Application

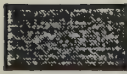
Appendix "B" as referred
to in Section 15 of the
28th Report for 1989 of
the P & D Committee



12/12/89

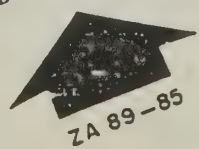


LEGEND



SITE OF THE APPLICATION

Appendix "C" as referred
to in Section 16 of the
28th Report for 1989 of
the P & D Committee



ZA 89-85

APPENDIX A

AA

BRIGADE

STREET

BASTILLE

AA

BORODINO

ROBESPIERRE COURT

RÉPUBLIQUE

MOUNT HAMILTON
CEMETERY

AA

SITE PLAN CONTROL
BY-LAW 82-220

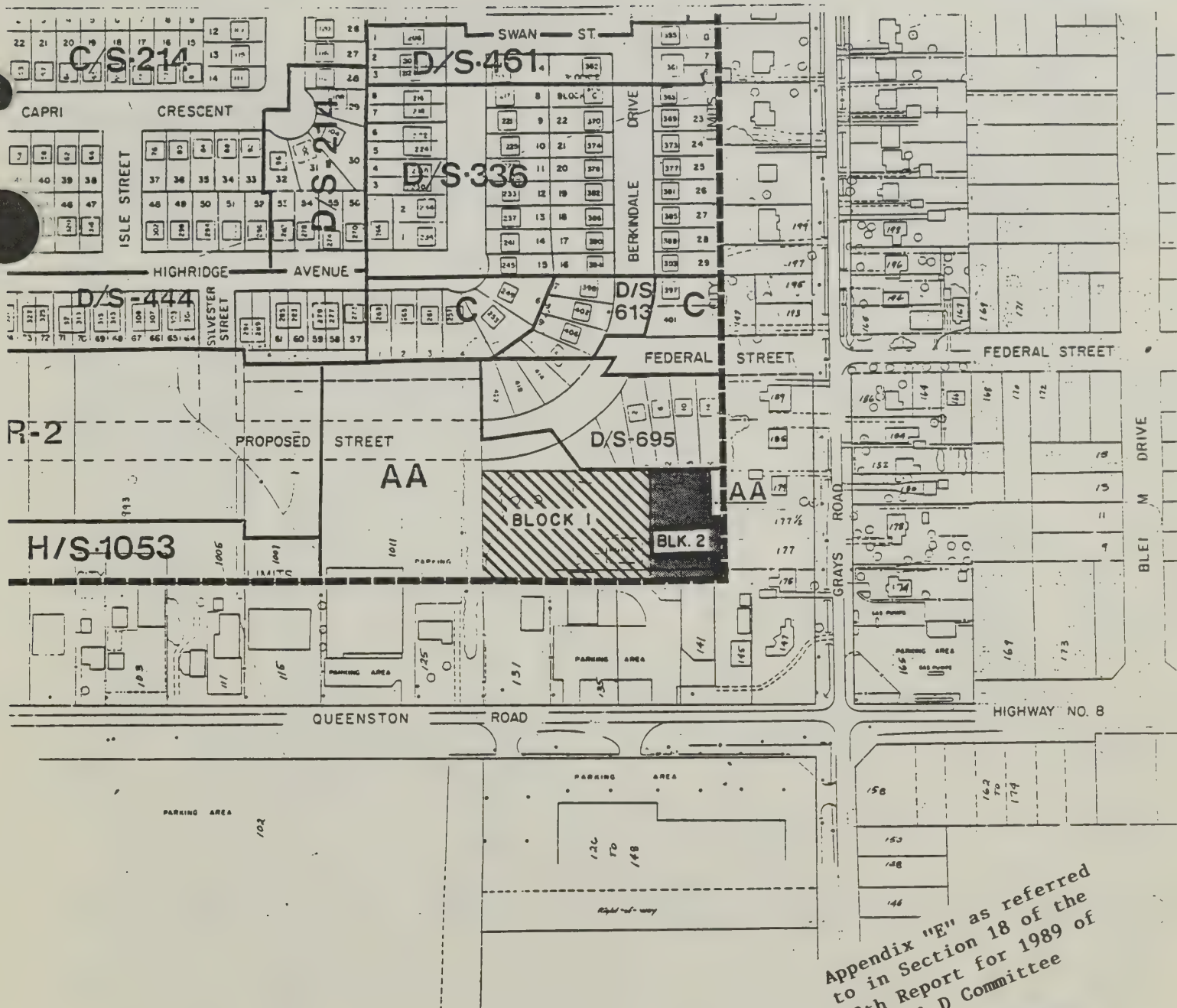
Legend

Site of the Application

Appendix "D" as referred
to in Section 17 of the
28th Report for 1989 of
the P & D Committee

ZA 89-93

APPENDIX A



Appendix "E" as referred
to in Section 18 of the
28th Report for 1989 of
the P & D Committee



LEGEND

PROPOSED CHANGE IN ZONING FROM:

BLOCK 1

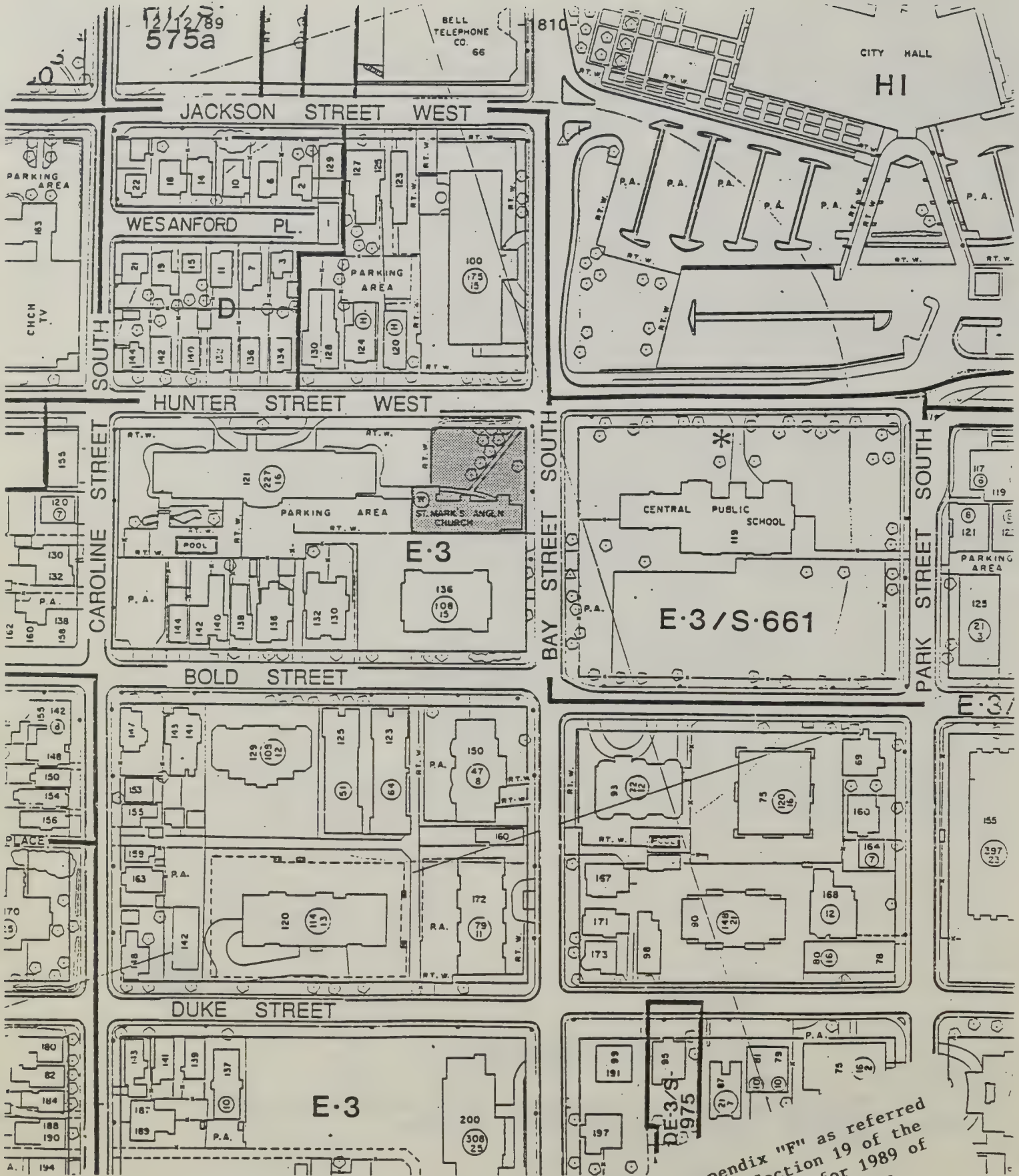


"AA" (AGRICULTURAL) DISTRICT TO "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT, MODIFIED.

BLOCK 2



"G-3" (PUBLIC PARKING LOTS) DISTRICT, MODIFIED TO "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT, MODIFIED.

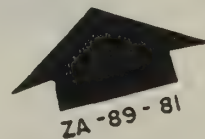


Legend



Site of the Application

Appendix "P" as referred
to in Section 19 of the
28th Report for 1989 of
the P & D Committee



APPENDIX A

-1811-
**PROPOSED NEIGHBOURHOOD PLAN
 AMENDMENT - TIFFANY BLOCK**

NORTH
 12/12/89

Appendix "G" as referred
 to in Section 20 of the
 28th Report for 1989 of
 the P & D Committee

ART

STUART STREET

TIFFANY STREET

TIFFANY STREET

BAY STREET

WEST

BARTON

LEGEND:

● ● ● ● Medium density, lower rise apartments

SPECIAL POLICIES

- conservation of streetscape fronting Bay Street
- interior parkette
- lower-rise row building form
- noise attenuation measures (eg. air conditioning) to be determined by noise impact study
- decommissioning of site to the satisfaction of the Ministry of the Environment
- limited commercial on Stuart Street and Tiffany Street frontage

▨ Proposed road widening, subject to design details

MAP 1

SCALE

1":100'

PARKING AREA

WRECKERS

YARD

PA

PA

CONSERVATION

PARKING AREA

PARKING AREA

CHOF THE REDEEMER

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its EIGHTEENTH Report for 1989 and respectfully recommends:

- * 1. (a) That smoking be regulated in workplaces within the City of Hamilton in accordance with the following recommendations:
 - (i) that all employers be required to adopt and implement a workplace smoking policy.
 - (ii) that the workplace smoking policy either,
 - (1) totally prohibit smoking in the workplace,
 - or
 - (2) prohibit smoking in the workplace except in designated rooms.
 - (iii) that designated rooms be fully enclosed and ventilated.
 - (iv) that in new construction after 1991 January 1, designated smoking rooms be ventilated directly to the outside;
 - (v) that reception areas, lobbies, hallways, washrooms and private offices not be designated as smoking rooms;
 - (vi) that industrial mills be designated as smoking rooms, but that areas within the industrial mills not be designated as smoking areas;
 - (vii) that signs be posted indicating where smoking is permitted and prohibited;
 - (viii) that employers who do not comply with these regulations be liable to a charge, and upon conviction to a penalty of up to a maximum of \$2 000. fine;

* *Motion to refer back Section 1, lost*
Recorded vote, see page 1757

(ix) that any person who smokes in contravention of a workplace smoking policy be liable to a charge and upon conviction, to a penalty of up to a maximum \$2 000. fine.

(b) That the City Solicitor be directed to prepare the necessary By-law to incorporate the above recommendations and to provide for an implementation date of 1990 March 1.

* (c) That the above-noted By-law not apply to workplaces that are regulated by Smoking in Public Places By-law No. 80-258 with the exception of municipal offices.

NOTE: This By-law will not apply to workplaces that are regulated by the Government of Canada and the Province of Ontario.

The City of Hamilton Act 1989, which received Royal Assent on 1989 July 13th, provides the enabling legislation for the City to enact the above-noted Smoking in the Workplace By-law.

**2.

(a) That the City of Hamilton host a civic reception for the participants of the 91st Highlanders Athletic Association's Hamilton Spectator 1990 Indoor Games at a cost not to exceed \$6 000.; and

(b) That funding for this event be financed from the 1990 Special Civic Receptions and Delegate Hostings Account No. CH55314 84010.

3.

(a) That the City of Hamilton By-law 85-148, with respect to dog licences fees, be amended effective 1990 January 1, to the following schedule:

	Regular	Senior/Disabled - 25% of regular
(i) Unaltered	\$34. (\$32.)	\$8.50 (\$8.)
(ii) Spayed or Neutered	\$16. (\$15.)	\$4. (\$3.75)

NOTE: Current rates are shown in brackets.

(b) That hereafter, licence fees as noted above, will increase on January 1st of each year, by a percentage of 4% (or rate of inflation), rounded down to the nearest dollar.

4. That the City of Hamilton petition the Provincial Government of Ontario to enact enabling legislation to municipalities for the licencing of cats.

* *Section 1.(c) added during Council*

Recorded vote, see page 1758

** *Section 2. deleted, see also page 1758*

- 2

5. That realty and business tax applications processed under Section 496(a) of The Municipal Act in accordance with Bill 59 (Municipal Act Amendment) Chapter 31 Statutes of Ontario, 1988 in the amount of \$28 781.28 be approved and charged to Account CH53307 24104 Tax Remissions.

NOTE: On 1988 June 8, Section 15 of Bill 59 received Royal Assent. This Section provides for the Municipality a means whereby Municipal Councils may approve tax refunds due to clerical errors in the Assessment Roll. The period for application is limited to two years preceding the date of application.

Such applications are only valid and therefore may only be heard and approved by Council providing that certain prior conditions are met; most importantly that all applications must be confirmed and approved by the Regional Assessment Commissioner.

6. That the following resolution, be approved:

WHEREAS, each year, thousands of animals suffer and die slow, painful deaths in laboratory tests of cosmetics and household products, and

WHEREAS, these tests are cruel and are not required by any Provincial or Federal law, and

WHEREAS, safe alternative methods of testing such products do exist; methods that do not involve the use of animals, but do provide reliable results.

THEREFORE BE IT RESOLVED THAT, the City of Hamilton petition the Provincial Government of Ontario to pass into law a Bill prohibiting the use of animals in cosmetics and product testing.

7. That permission be granted to the Hamilton Injured Workers Committee to:

- (a) Hold their annual vigil at City Hall on 1989 December 23 in memory of injured workers.
- (b) Display a wreath on the City Hall balcony for a one-week period between the dates of 1989 December 11 to 1990 January 3 in memory of all injured workers who have tragically lost their lives in the workplace.
- (c) That the one-week time period to display this wreath be determined by the Hamilton Injured Workers Committee.

- (c) That the one-week time period to display this wreath be determined by the Hamilton Injured Workers Committee.
8. That the new Finance and Administration Committee be requested to review the City's present policy respecting displays on the City Hall balcony to ensure consistency of its use for all organizations.
9. (a) That permission be granted to the World Day of Prayer Committee to use the Council Chambers on Friday, 1990 March 2nd at 12:00 o'clock noon for their Annual World Day of Prayer; and
- (b) That permission also be granted for the use of Room 219 for a reception after the World Day of Prayer Service.
10. That permission be granted to the Transportation Services Committee, on behalf of the D.A.R.T.S.' Board, to use the second floor foyer area outside of the City Clerk's Office, on Thursday, 1989 December 21st, between the hours of 7:00 o'clock p.m. and 9:00 o'clock p.m., for the purpose of holding a public meeting to invite users, the public, and members of Council to discuss and consider alternative means of transportation for D.A.R.T.S. services.
11. That correspondence received from Food Irradiation Alert requesting endorsement of a resolution, as attached herewith and marked Appendix "A", be referred to the Hamilton-Wentworth Regional Council for consideration by its Regional Health Services Committee.

NOTE: Additional correspondence which accompanied this resolution is available from the Committee Secretary upon request.

12. That City Council conduct only one meeting during the month of 1990 January to be held on Tuesday, 1990 January 30th.
13. That leave be granted to introduce the following Bill:
- | | |
|---------------|-----------------------------------------------------------------|
| (a) Bill E-11 | A By-law respecting Smoking in the Workplace |
| (b) Bill E-12 | A By-law to Amend By-law No. 85-148 respecting Dog Licence Fees |
| (c) Bill E-13 | A By-law to Amend Market By-law No. 81-180 respecting Fees |

- * 14. (a) That a five (5) year lease agreement with a five year option be entered into with Burton and Marguarite Hubbard for the operation of the Hamilton Farmers' Market Coffee Shop at a rate of \$290. per month for 1990 to be adjusted yearly to reflect inflationary and other costs.
- (b) That the Acting City Solicitor be requested to prepare this lease agreement.

NOTE: Burton and Marguarite Hubbard have operated this coffee shop under lease agreement for the past ten years.

- ** 15. That the recommendation of the Panel of Jurors to award the "Day of Mourning" Sculpture Commission to Mr. Paul Cvetich, Artist, be approved.

NOTE: At its meeting held 1989 April 25 City Council on the recommendation of the Legislation Committee approved the request of the Hamilton and District Labour Council to erect a memorial upon the grounds of City Hall at a location west of the existing building near Bay Street in accordance with the Policy to Govern and Regulate the Installation of Commemorative Plaques, Memorials, Monuments, Time Capsules and Trees upon City Hall Grounds, which was adopted by City Council 1988 September 7.

The Legislation Committee approved that Alderman M. Kiss and Alderman D. Drury be appointed to sit on the panel of jurors which was established to review the preliminary drawings received from local artists. The competition was administered by the Hamilton and Region Arts Council. Pursuant to the above mentioned policy, the final design and quality of materials to be used in the monument is subject to the approval of City Council.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder
Acting Secretary
1989 December 4th

* Section 14 added during Council
** Section 15 added during Council
Recorded vote, see page 1759

DECLARATION OF OPPOSITION TO
RADIATION EXPOSED FOOD

I, Lila Parker Oppose Radiation Exposed Food.

I oppose subjecting fresh vegetables, fruits, herbs, spices, grains, poultry, meat, seafood, flavourings, or consumable foods of any origin to treatment by radiation of any type for any reason whatsoever.

I hereby exercise my right to know if I'm being required to consume radiation exposed foods of any kind in any quantity as a form of government, food industry, and/or private market research testing without my knowledge and/or consent.

I exercise my right to be advised if I'm being forced to purchase radiation exposed foods, either by the box, bag, package or individual item without my knowledge and/or consent.

I exercise my right to be warned of any and all radiation exposed ingredients contained in frozen, canned, and/or boxed pre-packaged foods prior to my purchase and eventual consumption of those foods.

I hereby hold the municipal, provincial and federal governments, food industry and grocery stores responsible for any disease or affliction (allergy or otherwise) which might result, now or in the future, from being forced to consume radiation exposed foods without my knowledge or consent. I hereby declare the foregoing as my Constitutional Rights to Health Protection.

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK:

NAME Lila Parker

ADDRESS 5267 Carson Street PHONE 432-1787

CITY Burnaby, BC POSTAL CODE V5J 2Z3

PLEASE LIST PRIMARY PLACE YOU SHOP FOR FOOD
SUPERMARKET * GROCERY * DELICATESSEN

NAME OF SUPERMARKET Safeway

ADDRESS Royal Oak & Kingsway

CITY Burnaby POSTAL CODE V5H 2G1

PLEASE READ AND RESPOND TODAY

This is a vital ongoing consumer action. Your signature will be part of a presentation before the Government of Canada declaring opposition to exposing the national food supply to radiation. Regional organizations are joining us to keep radiation exposed food out of the Canadian marketplace.

ONE PERSON CAN MAKE A DIFFERENCE. WE WILL STOP --
WE WILL!

Please copy and pass on. Mail to FOOD
#11 3856 Sunset Street, Burnaby, B.C. V5G

Appendix "A" as referred
to in Section 11 of the
18th Report for 1989 of
the Legislation Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its EIGHTEENTH Report for 1989 and respectfully recommends:

1. (a) That Ross and McBride, Barristers and Solicitors, be paid the sum of \$8 587.44, in payment of their account rendered for the month of 1989 September.
- (b) That Ross and McBride, Barristers and Solicitors, be paid the sum of \$10 210.48 in payment of their account rendered for the month of 1989 October.
2. That the salary re-classification and title change for the following position in the Public Works Department, Central Garage be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary Range</u>
Vehicle Acquisitions Officer	Specify & receive new replacement vehicles and equipment; arrange for disposal of replaced vehicles and equipment; oversee garage parts inventory and new equipment warranties.	L	\$36,989.16 - \$43,557.28

NOTE: The financial requirements of this position will be met through the Department's current operating budget.

On 1988, July 26 City Council approved the re-classification and title change of the existing Fleet Superintendent position. This position will act as a resource person and provide sound knowledge of vehicle and equipment acquisition.

3. That the salary classifications for the following non-union positions in the Culture and Recreation Department be approved in accordance with Section 4 of the Seventeenth Report of the Co-ordinating Committee adopted by City Council on 1989 September 26:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Manager, Cultural Services	To manage the Cultural Section by providing heritage, multi-cultural and arts services.	H	\$49,664.68 - \$58,536.92
Manager, Recreation Services	To manage the recreation section by providing recreational programs and services	G	\$52,890.76- \$62,339.68
Curatorial Assts	To provide support to the Curators and assist with the day-to-day operation of the Museums.	O	\$28,922.92- \$33,992.92
Program Co-ordinator	To co-ordinate and facilitate the planning operations and appraisal of special needs and seasonal programs.	K	\$40,330.68- \$47,474.96
Events Co-ordinator	To co-ordinate the planning operations of recreational events.	K	\$40,330.68- \$47,474.96
Manager of Planning Services	To manage the planning section through long and short term goals and fiscal requirements.	H	\$49,664.68- \$58,536.92
Facilities Co-ordinator (2)	To co-ordinate programs and services of ten recreational sites and various community groups.	I	\$47,820.76- \$56,347.72
Heritage Co-ordinator			To be established
Development Co-ordinator			To be established
Project Co-ordinator			To be established

NOTE: These new and reclassified positions are to be kept within the present personnel allocation of the Department and any subsequent positions arising out of this reorganization will be subject to future budgetary approval.

At its meeting of 1989 August 22, the Parks and Recreation Committee approved the reorganization of the Culture and Recreation Department into three sections, namely, Culture, Recreation and Planning. This reorganization was based upon a consultant's report and a study conducted by the Human Resources Centre.

The item was referred to and adopted by City Council on 1989 September 26.

4. (a) That effective 1990 January 1, the entry pay grades for Solicitors joining the City Solicitor's Department be determined by the number of years since called to the bar.
- (b) That these pay grades (described below) form the salary progression range for those solicitors.
- (c) That the salary progression range be a percentage of the first step of the "F" grade to the nearest step in an existing pay range.

Entry Rate:			
<u>Years Called</u>	<u>% of F1</u>	<u>New Grade/step</u>	<u>1990 Jan 1 Salary</u>
Just called	75	K3	\$45,757.92
At 1 year	80	J1	\$47,805.68
at 2 years	85	H1	\$51,899.64
at 3 years	90	H2	\$54,066.48
at 4 years	95	G1	\$56,270.80
at 5 years or more	100	F1	\$59,967.44

- (d) and that after reaching the first step of the "F" range, Solicitors will progress through that range as follows (1990 January 1 rates):

F2	\$62,375.04
F3	\$65,024.44
F4	\$67,794.48
F5	\$70,564.00

NOTE: At 1990 January 1, the cost of the change in salary structure will be approximately \$49,200.00.

The Personnel Committee at its 1989 May 24 meeting requested that the Commissioner of Human Resources review the salary classifications of Solicitors in the City Solicitor's Department. This report recommends a method of structuring the salary grades for the solicitors.

The present salary ranges for the Solicitors are based solely on job content. As a Solicitor's tenure with the Corporation increases, he or she is assigned progressively more numerous and complex assignments. Under the job evaluation system, change in the nature and number of duties requires a re-evaluation of the job content in order to assign a new pay grade. Frequent reclassification is a cumbersome way to capture this increased responsibility and complexity. It is more appropriate to establish pay scale based on number of years since called to the bar, as is done in the private sector and in the Regional Legal Services Department.

5. That the Appointments to and Terminations from Permanent positions with the Corporation of the City of Hamilton to 1989 November 21, attached herewith and marked Appendix "A", be approved.
6. That the salary classification for the following new position in the Public Works Department be approved:

<u>POSITION</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Manager of Administration	Manages the planning and administration of the Public Works Depart- ment by developing Departmental standards and policies and by controlling both the capital and current budgets.	H	\$49,664.68- \$58,536.92

NOTE: The financial requirements of this position will be met through the Department's current operating budget.

On 1989 March 23, City Council approved this new position within the Department's 1989 budget.

RESPECTFULLY SUBMITTED,

Alderman B. Hinkley, Chairman,
Personnel Committee

Susan K. Reeder
Secretary
1989 December 6th

SKR/dg
att.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Daniel C. Murphy	Labourer/Truck Driver (D-7)	Public Works	Replacing Mr. W. Morden - transferred	\$27,202.24 to \$27,618.24	\$27,202.24 per annum	30/10/89

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Kenneth W. Black	Firefighter	Fire	Retired	35 years, 8 months	01/12/89
Mr. Robert L. Culliton	Storeskeeper	Fire	Retired	33 years, 2 months	01/12/89
Mr. James Cummings	Firefighter	Fire	Retired	35 years, 6 months	24/11/89
Ms. Joyce Evans	Senior Accounting Clerk	H.E.C.F.I.	Resigned	1 year, 4 months	17/11/89
Mr. Steven J. Farkas	Firefighter	Fire	Retired	30 years, 6 months	30/11/89
Mr. William S. Hart	Lieutenant	Fire	Retired	34 years, 8 months	30/11/89
Mr. William Lawton	Firefighter	Fire	Retired	31 years, 1 month	01/12/89
Mr. George Linton	Firefighter	Fire	Retired	35 years, 4 months	26/11/89
Mr. Frederick G. Morse	Firefighter	Fire	Retired	35 years, 4 months	01/12/89
Mr. Ronald F. Nordoff	Firefighter	Fire	Retired	32 years, 7 months	01/29/89
Mr. Ronald P. Reid	Firefighter	Fire	Retired	33 years, 3 months	01/12/89
Mr. Leonard G. Saltmarsh	Fire Chief	Fire	Retired	43 years, 4 months	30/11/89
Mr. Harold J. Schatz	Firefighter	Fire	Retired	35 years, 4 months	30/11/89
Ms. Audell M. Schimmel	Director	Culture & Recreation	Retired	40 years, 9 months	31/12/89
Mr. Leonard Spencer	Firefighter	Fire	Retired	33 years, 1 month	29/11/89

Prepared 21/11/89

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John Stasiuk	Lieutenant	Fire	Retired	34 years, 5 months	01/12/89
Mr. Louis E. Stevens	Platoon Chief	Fire	Retired	38 years	01/12/89
Mr. Stanley O. Sutton	Firefighter	Fire	Retired	34 years, 5 months	01/12/89
Mr. Edward M. Zelinski	Firefighter	Fire	Retired	30 years, 8 months	01/12/89

Prepared 21/11/89

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its TWENTIETH Report for 1989 and respectfully recommends:

- * 1. (a) That the report by The Coopers & Lybrand Consulting Group, Management Consultants, dated 1989 December 1, entitled "Capital Charges Study" be approved by City Council effective 1990 January 1.
- (b) That pursuant to the provisions of the Development Charges Act, 1989 a full public meeting be held by all interested parties early in January 1990.
- (c) That, effective 1990 January 1, the Building Commissioner be authorized and directed to collect the recommended development charges prior to the passage and approval of a development charge by-law and that these charges to be held in escrow pending approval of the by-law.
- (d) That the City Solicitor be requested to examine the legal ramifications of imposing the new development charges prior to the by-law coming into force or collecting the new development charges retroactively once the by-law comes into force.
- (e) That any interested party intending to comment to City Council on the Coopers & Lybrand Report be assessed \$25. per report.

NOTE: Copies of this report have already been distributed to all Members of City Council.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT SECTION 1 BE WITHDRAWN AND REPLACED WITH THE FOLLOWING:

1. (a) THAT THE REPORT BY THE COOPERS AND & LYBRAND CONSULTING GROUP, MANAGEMENT CONSULTANTS, DATED 1989 DECEMBER 1, ENTITLED "CAPITAL CHARGES STUDY", BE APPROVED.
- (b) THAT PURSUANT TO THE PROVISIONS OF THE DEVELOPMENT CHARGES ACT, 1989 A FULL PUBLIC MEETING BE HELD BY ALL INTERESTED PARTIES EARLY IN JANUARY 1990.
- (c) THAT THE CITY SOLICITOR BE REQUESTED TO EXAMINE THE LEGAL RAMIFICATIONS OF IMPOSING THE NEW DEVELOPMENT CHARGES IN ACCORDANCE WITH THE DEVELOPMENT CHARGES ACT, 1989 AND AS OUTLINED IN THE COOPERS & LYBRAND REPORT.
- (d) THAT ANY INTEREST PARTY INTENDING TO COMMENT TO CITY COUNCIL ON THE COOPERS & LYBRAND REPORT BE ASSESSED \$25. PER REPORT.

THAT EVERY EFFORT BE MADE TO HAVE THE PUBLIC MEETING REFERRED TO IN SUB-SECTION (b), AS SOON AS IS PRACTICAL.

* Section 1 withdrawn and replaced, see page 1828

2. That all purchase orders previously approved by City Council be increased by the 1.5% Federal Sales tax.

NOTE: The City has recently received invoices for several vehicles which were ordered prior to the Federal Sales tax increase effective 1989 June 1, but delivered in the past few weeks. The new tax is applicable as of delivery date. Rather than refer to each order, the Finance Committee is requesting a blanket approval.

3. That the Chief Administrative Officer and the Treasurer be authorized to approve current budget transfers and overdrafts for the balance of December following the 1989 December 12 City Council meeting, provided that a list of all such transactions is compiled for the approval of the appropriate Standing Committee and/or City Council in early 1990.
4. That the estimated cost of \$500. for the balance of 1989 of assigning a school crossing guard to the intersection of Southbend Road and Upper Wellington Street, as approved by City Council 1989 November 28, be financed from within the School Crossing Guard budget on an overdraft basis if necessary.
5.
 - (a) That the temporary Data Entry Clerk and Account Control Clerk positions in the Accounting Division of the Treasury Department be established as permanent positions to conform to union regulations.
 - (b) That the City Treasurer and the Commissioner of Human Resources be authorized to take appropriate steps to establish and fill the positions.
6.
 - (a) That the Information Systems Department, in conjunction with and with the concurrence of the Purchasing Division, lease Facsimile equipment for use in their City Hall location and in the Regional location in the Ellen Fairclough Building, and
 - (b) That a 1989 base transfer of \$3 110. from Information Systems Account No. CH56605 26020 to Purchasing Account No. CH56639 28001 be made to finance the lease costs.

7. (a) That the Treasury Department be authorized to purchase a microfiche reader/printer at an estimated cost of \$3 100.
- (b) That the cost of this equipment be financed by savings in the Information Systems Department accounts.
8. (a) That a grant in the total amount of \$50 000. be made to the 91st Highlanders Athletic Association to be used to assist in defraying expenses to be incurred in staging the 1990 Hamilton Spectator Indoor Games to be held at Copps Coliseum 1990 January 12 and January 13 subject to the following:
 - (i) That the applicant complete the prescribed grant application form immediately.
 - (ii) That the applicant provide the City with an audited financial statement detailing the disbursement of these funds.
- (b) That this grant be financed from the 1990 Grant Budget allocation.
- (c) That Section 2 of the Eighteenth Report of the Legislation Committee recommending that the City of Hamilton host a civic reception for the participants of the Hamilton Spectator Indoor Games at a cost not to exceed \$6 000., be withdrawn.
- (d) That the HECFI Management/Executive Committee be requested to rescind their recommendation to provide subsidization from the HECFI Special Events Subsidy Fund up to a maximum of \$19 500.
9. That the total cost of \$1 401.25 to place a quarter-page notice in the Hamilton Spectator requesting the voluntary co-operation of the Citizens of Hamilton in boycotting the effect of pesticides on workers and consumers of Californian and Chilean grapes be financed within the present budget of the Mayor's Race Relations Committee.

NOTE: At its meeting held 1989 November 28, City Council, on the recommendation of the Mayor's Race Relations Committee approved the declaration of a suitable week in 1989 December as "Grape Boycott Week" and that the Mayor's Race Relations Committee determine the size and cost of an advertisement and refer to the Finance Committee to determine the method of financing.

10. That leave be granted to introduce the following Bill:

Bill G-15 A By-law to Amend By-law Nos. 89-138 and 89-139
respecting Rates of Taxation for Municipal and
Regional Purposes for the Year 1989

Respectfully Submitted,

ALDERMAN Wm. M. McCULLOCH, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Secretary
1989 December 5

1. (a) That the Report by The Coopers & Lybrand Consulting Group, Management Consultants, dated 1989 December 1, entitled "Capital Charges Study", be approved.
- (b) That Council directs and approves that the appropriate City staff arrange a full public meeting of the Finance and Administration Committee, prior to the passing of a Development Charges By-law, in accordance with the Act itself and provincial regulations to be made by Cabinet and filed under the Development Charges Act, 1989, as soon as the necessary Regulations are available, so as to receive submissions from the interested parties and the public on the Report.
- (c) That the City Solicitor be requested to examine the legal ramifications of imposing the new development charges in accordance with the Development Charges Act, 1989 and as outlined in The Coopers & Lybrand Report.
- (d) That any interested party intending to comment on The Coopers & Lybrand Report pay \$25. per copy of the Report.

That every effort be made to have the public meeting referred to in sub-section (b) as soon as legally possible and practical.

NOTE: The City Solicitor's Office has advised that whereas the Act received Royal Assent and became law on 1989 November 23, the necessary regulations thereunder, which are required to be made and filed before a municipality can take any steps, including preliminary public information steps required by the Act, have not yet been considered by the Provincial Cabinet nor made available. The City Solicitor advises that since compliance with the regulations is legally mandatory, proposed action by the City must await their promulgation by the Province.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its EIGHTH Report for 1989 and respectfully recommends:

1. That the Second Hand Licence application of John Zabinski, 116 Sanford Avenue North, Hamilton, be denied.

NOTE: For the information of Members of City Council, the City of Hamilton Licensing Committee, at its meeting held 1989 November 22 recommended that the licence application be denied on the grounds of the applicant's extensive criminal record. (Further information can be obtained from the Secretary

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
LICENSING COMMITTEE

Stella Glover
Secretary

1989 November 22

/jc

REPORT OF THE NOMINATING COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its TENTH Report for the year 1990 and respectfully recommends:

1. Approval of the following appointments.

HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

Mr. Gene Kwiatowski
Mr. Norm Levitt
Mr. William J. Tidball

Term of office expires December 31, 1992.

Mr. Marvin Ryder

Term of office expires December 31, 1990.

2. HAMILTON CIVIC HOSPITALS BOARD OF DIRECTORS.

(Nominees of the Hamilton Civic Hospitals Foundation).

Mr. John W. Spears
Mrs. Renata Davidson

Term of office expires December 31, 1993.

Respectfully submitted,

December 12, 1989.

ROBERT M. MORROW,
CHAIRMAN.

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, DECEMBER 19, 1989
7:00 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, Drury, Copps, Christopherson,
Agostino, Smith, Jackson, Gallagher, Ross.

The Clerk read the notice calling the meeting.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that
Council move into Committee of the Whole to consider the following Reports,
with Mayor R. M. Morrow in the chair.

* * * * *

(A) CO-ORDINATING COMMITTEE - TWENTY-THIRD REPORT.

* * * * *

(H) CITY OF HAMILTON LICENSING COMMITTEE - NINTH REPORT.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above
Reports, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Drury, Copps,
Christopherson, Agostino, Smith, Jackson, Gallagher, Ross. - 12.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-36,
B-144, B-145 -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Drury, Copps,
Christopherson, Agostino, Smith, Jackson, Gallagher, Ross. - 12.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried,
that Council move into Committee of the Whole (second reading) to consider
the following Bills, with Mayor R. M. Morrow in the chair.

A-36,
B-144, B-145 -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Drury, Copps,
Christopherson, Agostino, Smith, Jackson, Gallagher, Ross. - 12.

NAYS: 0 - CARRIED.

Consideration of the Bills (second reading).

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading)
on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Drury, Copps,
Christopherson, Agostino, Smith, Jackson, Gallagher, Ross. - 12.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-36,
B-144, B-145 -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Drury, Copps,
Christopherson, Agostino, Smith, Jackson, Gallagher, Ross. - 12.

NAYS: 0 - CARRIED.

City Council adjourned at 7.20 p.m.

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its TWENTY-THIRD Report for 1989 and respectfully recommends:

1. That Mr. Barry R. Snetsinger be appointed to the position of Director of Marketing and Sales, H.E.C.F.I., on a contract basis at salary level 24 and that the Managing Director/CEO and the Commissioner of Human Resources be authorized to negotiate the provisions of a contract for a term of three (3) years.
2. That leave be granted to introduce the following Bills:
 - (a) Bill B-144 A By-law to Amend By-law No. 89-72 to Regulate Traffic.
 - (b) Bill B-145 A By-law to Amend By-law No. 89-72 to Regulate Traffic.
 - (c) Bill A-36 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 December 19

/bc

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its NINTH Report for 1989 and respectfully recommends:

1. That the Cab Driver Licence of Raphael J. Kolenko, 1270 Maple Crossing Blvd., #214, Burlington, be suspended until December 31, 1989.

NOTE: For the information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1989 October 4 held a Show Cause Hearing at which Mr. Kolenko failed to appear, and recommended that the foregoing cab driver licence be suspended on the grounds that the licence holder committed further driving infractions while on probation.

As a result of a request from Mr. Kolenko's father, urging that Mr. Kolenko be granted a further hearing, City Council, at its meeting of 1989 October 31, referred this matter back to the Licensing Committee.

A further hearing was held on 1989 December 13 at which time Mr. Kolenko again failed to appear and the Licensing Committee recommended that this matter be sent back to City Council with the foregoing recommendation.

(Further information can be obtained from the Secretary.)

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
LICENSING COMMITTEE

Stella Glover
Secretary

1989 December 13

/jc

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 30, 1990
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend John F. Nunns, Transfiguration Lutheran Church, led the Council in prayer.

Mr. K. E. Avery, City Clerk, subscribed to the Declaration for the Appointed Office of City Clerk.

His Worship Mayor R. Morrow read the following proclamations:

- a) Winterfest '90 Proclamation
"Fit Trek Week"
February 3 - 11, 1990
- b) "White Cane Week"
February 4 - 10, 1990
- c) "Jaycee Week"
January 22 - 28, 1990

The following presentations were made to City Council:

- a) A wall hanging presented by the Hamilton-Wentworth Embroiderers' Guild
- b) Canada Safety Council "Safe Driving Week Award"
- c) Presentation by Mayor Morrow to Worldways Canada Inc., Southbound Tours, Hamilton.

The minutes of the meeting of December 12, 1989 and the special meeting of December 19, 1989, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee.

1. Application from Ferrell Builders Supply Ltd., 1549 Rymal Road, P.O. Box 176, R.R. #1 Hannon, Ontario, for a modification to the zoning, property located at 1519 Rymal Road, dated December 14, 1989.
2. Application from Derrick Lea Palmer and Carol Yvonne Palmer, 767 Mohawk Road East, Hamilton, Ontario, for a modification to the zoning, property located at 767 Mohawk Road East, dated December 21, 1989.
3. Application from Angelo Cameracci, 158 Hester Street, Hamilton, Ontario, for a change in zoning, rear portions of 564, 570, 576, 580, 590 and 596 Stone Church Road East, including Holland Avenue, dated December 21, 1989.
4. Application from J. Beume Real Estate Ltd., 100 Adelaide Street West, Toronto, Ontario, for a change in zoning, property located on the north-west corner of James Street North and Vine Street, dated December 21, 1989.
5. Application from Hamilton General Homes (1971) Ltd., 500 Seaman Street, Stoney Creek, Ontario, for a further modification to the zoning, property located at 25 Redmond Drive and 549 Stone Church Road East, dated January 2, 1990.
6. Application from Fiore Manganiello, 93 Country Club Drive, Hamilton, Ontario, for a change in zoning, properties located at 87 to 95 Wellington Street, dated January 4, 1990.
7. Application from Marvin Wasserman, Bernard Wasserman, Estate of Solomon Wasserman, 224 King Street East, Hamilton, Ontario, for a change in zoning, property located north of Sirente Drive, east of Upper Wellington Street, dated January 4, 1990.
8. Application from Juan Puig, 527 Upper Paradise Road, Hamilton, Ontario, for a modification to the zoning, properties located at 70 and 80 Lancing Drive, dated January 4, 1990.
9. Application from Marvin Wasserman, Bernard Wasserman, Estate of Solomon Wasserman, 224 King Street East, Hamilton, Ontario, for a change in zoning, property located south of Sirente Drive, east of Upper Wellington Street, dated January 4, 1990.
10. Application from 815488 Ontario Inc., c/o Nella Bradt, 15 Ashley Street, Hamilton, Ontario, for a change in zoning, properties located 1489-1495 Upper Gage Avenue, dated January 4, 1990.
11. Application from Ashok Kumar, 91 Christie Street, Hamilton, Ontario, for a modification to the zoning, property located at 41 Rymal Road West, Dated January 10, 1990.

12. Application from Beckville Holdings Limited, P.O. Box 338, Station "T", Toronto, Ontario, for a change in zoning, property located in the block bounded by Main Street West, Caroline Street South, George Street and Hess Street South, dated January 5, 1990.
13. Application from Serge Gelly, 27 Avonbridge Court, Hamilton, Ontario, for a modification to the zoning, property located at 1039 Main Street East, dated January 9, 1990.
14. Application from Agomen Group 1 Ltd., 285 King Street East, Hamilton, Ontario, for a modification to the zoning, property located at 260-280 King Street East, dated January 9, 1990.
15. Application from 603976 Ontario Ltd., c/o Terra Homes, P.O. Box 192, Hannon, Ontario, for a change in zoning, property located at 1448-1500 (inclusive) Upper Sherman Avenue, dated January 9, 1990.
16. Application from Greg McMillan, 91 Homewood Avenue, Hamilton, Ontario, and Bob Frame, 187 Golf Links Road, Ancaster, Ontario, for a modification to the zoning, property located at 610-612 King Street East, dated January 10, 1990.
17. Application from Vladimir Baotic, 261 Queenston Road, Hamilton, Ontario, for a modification to the zoning, property located at 314-318 Queenston Road, dated January 10, 1990.
18. Application from 88000640 Ontario Inc., c/o Mr. Tony DiSilvestro, 158 Hester Street, Hamilton, Ontario, for a change in zoning, property located at 480 Rymal Road West, dated January 10, 1990.
19. Application from Walter Vucetich, 152 Kimberly Drive, Hamilton, Ontario for a change in zoning, property located at 79 Rymal Road West, dated January 15, 1990.
20. Application from Alena Miller, 1574 Upper Gage Avenue, Hamilton, Ontario, for a change in zoning, property located at 1574 Upper Gage Avenue, dated January 19, 1990.
21. Application from 687469 Ontario Inc. (Roy Yates & Terry Yates), 78 Queenston Road, Hamilton, Ontario, for a change in zoning, properties located at 1451, 1469, 1459 and 1465 Upper James Street, dated January 24, 1990.
22. Application from 687469 Ontario Inc., 78 Queenston Road, Hamilton, Ontario for a change in zoning, properties located at 1451, 1469, 1465 and 1459 Upper James Street, dated January 25, 1990.
23. Letter from Mr. K. E. Avery, City Clerk, advising objection received to By-law Number 89-310, dated January 12, 1990.
24. Letter from Mr. K. E. Avery, City Clerk, advising objection received to By-law Number 89-322, dated January 16, 1990.

25. Letter from Mr. K. E. Avery, City Clerk, advising objection received to By-law Number 89-336, dated January 16, 1990.
26. Letter of appreciation from the Jewish Federation, Hamilton-Wentworth and Area, re: religious customs of Canadian citizens, dated January 16, 1990. (received)
27. Letter from The Ontario Cancer Treatment and Research Foundation, Hamilton Regional Cancer Centre, re: problem of indoor air pollution, dated December 19, 1989. (Referred to Finance & Administration Comm.)
28. Letter from Mr. L. E. Leonoff, Ontario Hydro, 700 University Avenue, Toronto, Ontario, outlining new policy respecting appointment of Commissioners by Ontario Hydro to Municipal Hydro Commissions, dated January 30, 1990. (Referred to Finance & Administration Comm.)

It was moved by Alderman Cooke, seconded by Alderman Kiss and carried, that Council move into Committee of the Whole to consider the following Reports with Alderman Lombardo in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. -17.

NAYS: 0 CARRIED

A) FINANCE AND ADMINISTRATION - FIRST REPORT

It was moved by Alderman Christopherson and seconded by Alderman Gallagher and resolved that Section 8 of the First Report of the Finance and Administration Committee be amended by adding subsection e)

- e) That the Terms of Reference staff be directed to begin developing for a Comprehensive Audit of the Licencing Division of the City Clerk's Department tendering will take place following budget approval of the funding. CARRIED

Section 11

Alderman Copps declared personal interest in and took no part in the debate, and refrained from voting on Section 11 as she sits on the Board as a non-city appointee.

It was moved by Alderman Hinkley and seconded by Alderman Agostino and carried
RESOLVED:

"That Section 14 of the FIRST Report of the Finance and Administration Committee be amended by adding the following positions which were approved by the Finance and Administration Committee 1990 January 4 and inadvertently omitted from the Report:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Manager, Support Services	Supervise the provision of technical assistance support and training to ensure the productivity advantages of computer technology.	H	\$49,664.68 - \$58,536.92
Manager, Operations	Manage the multi-shift, seven day a week operation of large multi-vendor Data Processing Systems.	H	\$49,664.68 - \$58,536.92
Assistant Manager, Operations	Supervise the mainframe data processing facility.	J	\$45,747.00 - \$53,928.16
Supervisor, Console Operations	Supervise the console activities within the Operations section."	M	\$34,569.60 - \$40,677.00 CARRIED

It was moved by Alderman Christopherson and seconded by Alderman Cooke

RESOLVED: That Section 16 of the First Report of the Finance and Administration Committee be referred to the City's 1990 Budget Process for consideration.

Recorded Vote on Section 16:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Copps, Christopherson, Lombardo, Smith, Merling, Murray (11)

NAYS: Aldermen Hinkley, Drury, Agostino, Jackson, Gallagher, Ross. (6)
CARRIED

Recorded Vote on Section 20: (Re: Civic Awards to Members of the Hamilton Sportsworld Spartans Touch Football Team)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. -16.

NAYS: Alderman Copps. 1 - CARRIED

A) FINANCE AND ADMINISTRATION COMMITTEE - SECOND REPORT

Recorded Vote on Section 8: (Re: Time table for the 1990 Current Budget Review Process)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. -16.

NAYS: Alderman Murray. 1 - CARRIED

Recorded Vote on Section 19: (Re: Canadian Football Hall of Fame and Museum sign on Main Street West)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Agostino, Christopherson, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. -15.

NAYS: Aldermen Drury, Copps. 2 - CARRIED

Alderman Smith declared personal interest in and took no part in the debate, and refrained from voting on Section 22 as he resides on one of the streets referred to in this recommendation.

Recorded Vote on Section 22: (Re: 1990 Road and Sidewalk Capital Reconstruction Program)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Alderman Agro. 1 - CARRIED

It was moved by Alderman Kiss, seconded by Alderman Agro

Resolved: That Sub-section (b) of Section 24 be amended by deleting the words "as observers" in the last line.

Alderman Drury declared personal interest in and took no part in the debate, and refrained from voting on Section 38 as he is a member of the Hamilton Sertoma Inc.

It was moved by Alderman Agro and seconded by Alderman Agostino

Resolved: Section 40 of the Second Report of the Finance and Administration Committee be amended by adding the following:

- (b) That the Hamilton-Wentworth Regional Police Commission provide an explanation to clarify the last sentence of the second paragraph on page four of the Report of the Regional Police Department in response to the Report of the Task Force on Race Relations and Policing

"The visible minorities must be educated and change their beliefs, attitudes and behaviour towards the police to complement police reforms"

and further that the word "Regional" in the second line of the first paragraph be deleted and the word "City" substituted in lieu thereof."

A) FINANCE AND ADMINISTRATION COMMITTEE - THIRD REPORT

City Council at 9:50 o'clock p.m. convened in-camera in Room 233 to discuss the recommendation of appointment of City Solicitor as contained in section 2.

At 10:45 o'clock p.m., City Council reconvened in public session in the Council Chambers.

It was moved by Alderman Hinkley and seconded by Alderman Gallagher

Resolved: That section 2 of the Third Report of the Finance and Administration Committee be amended by deleting the figure "5" before the word years and inserting in place thereof the figure "3". CARRIED

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Agostino, Copps, Christopherson, Lombardo, Smith, Jackson, Gallagher, Murray. -15.

NAYS: Aldermen Merling, Ross. - 2 CARRIED

Recorded vote on Section 2 as amended. (Re: Appointment of City Solicitor)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Agostino, Copps, Christopherson, Lombardo, Smith, Jackson, Gallagher, Murray. - 15.

NAYS: Aldermen Merling, Ross. - 2 CARRIED

It was moved by Alderman Agostino and seconded by Alderman Kiss:

Resolved: That Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the National Congress of Italian Canadians' request of Federal Government for an apology to the Italian Canadian community for injustices which occurred during the 1940's. CARRIED

It was moved by Alderman Agostino and seconded by Alderman Kiss

Resolved:

"WHEREAS the City of Hamilton is the home to more than 60 000 Canadians of Italian background, and

WHEREAS Canadians of Italian heritage have contributed significantly to creating the rich multicultural nature of the City of Hamilton and Canada, and

WHEREAS over 700 Italian Canadians were interned and denied their civil and citizenship rights during the Second World War, and

WHEREAS 70 residents of the City of Hamilton of Italian Canadian background were interned and denied their civil and citizenship rights during the Second World War, and

WHEREAS no person was ever charged or convicted of any seditious, treasonable or anti-Canadian Law, and

WHEREAS the National Congress of Italian Canadians has asked that the Federal Government give the same verbal redress - apology to the Italian Canadian community as it gave the Japanese Canadian community, and

WHEREAS an official apology to Italian Canadians by the Federal Government would contribute to "healing the wounds" and would further enhance the cause of multicultural harmony and respect;

NOW THEREFORE BE IT RESOLVED THAT:

Hamilton City Council support the National Congress of Italian Canadians' request of Federal Government for an apology to the National Italian community for the injustices which took place during the 1940's.

That this resolution be forwarded to the Federation of Canadian Municipalities for their consideration and support at the Annual Meeting in Quebec City in June, 1990." CARRIED

B) TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

Section 20 The recommendation of the Finance and Administration Committee on section 20 was carried (Re: Estimated cost of services in Aquino Gardens - Phase I, and Templemead No. 2 Survey - Phase 8)

C) PARKS AND RECREATION COMMITTEE - FIRST REPORT

D) PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT

D) PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT

E) PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT

It was moved by Alderman Smith and seconded by Alderman Merling

Resolved: That Section 12 of the Third Report for 1990 of the Planning and Development Committee be amended by deleting the word "approved" in the second line, and inserting the following in lieu thereof "forwarded to the Regional Engineering Services Committee for consideration."

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Hinkley, Drury, Agostino, Copps, Christopherson, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. -14.

NAYS: Alderman Murray. 1 - CARRIED

Recorded vote on Section 12 as amended: (Re: Proposed reconstruction of James Mountain Road)

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Hinkley, Drury, Agostino, Copps, Christopherson, Lombardo, Smith, Jackson, Merling, Gallagher, Murray. -14.

NAYS: Alderman Murray. 1 - CARRIED

Recorded vote on section 14: (Re: Zoning Application 89-54; 1527 Upper Ottawa Street)

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Hinkley, Drury, Agostino, Copps, Christopherson, Lombardo, Smith, Merling, Gallagher, Murray. -13.

NAYS: Alderman Jackson . 1 - CARRIED

Recorded Vote on Section 16: (Re: Zoning Application 89-66 - 1575 Upper Ottawa Street)

YEAS: Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Lombardo,- 6.

NAYS: Mayor Morrow, Aldermen Kiss, Copps, Agostino, Smith, Jackson, Gallagher. 7 - LOST

During the debate, Alderman T. Jackson filed with the Clerk, a petition from residents opposing this Application.

E) INFORMATION SYSTEMS COMMITTEE - 10TH REPORT FOR 1989

It was moved by Alderman Hinkley and seconded by Alderman Merling

Resolved: That Rule No. 8 of the City of Hamilton Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of the Chairman of the Hamilton Harbour Commission. CARRIED

It was moved by Alderman Hinkley and seconded by Alderman Merling

Resolved:

Whereas the Hamilton Harbour is managed by a three member appointed Board of Commissioners,

And whereas the Hamilton Harbour Commissioners derive their authority from an Act of Parliament drafted and approved by Hamilton City Council,

And whereas the Hamilton Harbour Commissioners have an obligatory reporting responsibility to the citizens of Hamilton through City Council,

And whereas the citizens of Hamilton through their elected Federal and Municipal representatives expect Hamilton Boards, Commissions and Councils to be composed of Hamiltonians, responsible to Hamiltonians.

Therefore the Council of the Corporation of the City of Hamilton call upon the Prime Minister of Canada to immediately intervene and use his authority to rescind the appointment of a non-Hamiltonian as Chairman of the Hamilton Harbour Commission.

And finally that the Council of the Corporation of the City of Hamilton call upon the elected Members of Parliament representing Hamilton to support our request and urge the Prime Minister of Canada to intervene.

Recorded Vote on Motion

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. -16.

NAYS: 0. - CARRIED

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman J. Smith be appointed Acting Mayor for the month of February, 1990. **CARRIED**

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Gallagher, Murray. -13.

NAYS: 0 - CARRIED

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: that the following Bills be now read a first time:

A-1, A-2, A-3, A-4, A-5
B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11
C-1,
D-1, D-2, D-3, D-4, D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12,
D-13, D-14, D-15, D-16, D-17, D-18, D-19.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Murray. -13.

NAYS: 0. CARRIED

It was moved by Alderman Cooke and seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Lombardo in the chair.

A-1, A-2, A-3, A-4, A-5
B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11
C-1,
D-1, D-2, D-3, D-4, D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12,
D-13, D-14, D-15, D-16, D-17, D-18, D-19.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Murray. -13.

NAYS: 0. CARRIED

Consideration of the Bills (second reading)

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills, be adopted.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Murray. -13.

NAYS: 0. CARRIED

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: that the following Bills be now read a third time

A-1, A-2, A-3, A-4, A-5
B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10, B-11
C-1,
D-1, D-2, D-3, D-4, D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12,
D-13, D-14, D-15, D-16, D-17, D-18, D-19.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Murray. -13.

NAYS: 0. CARRIED

City Council adjourned at 11:15 o'clock, p.m.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its FIRST Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Union Boiler Company of Hamilton Ltd., Hamilton, in the amount of \$15 200 for the removal and disposal of pool equipment at Dalewood Pool, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

As this work is to be completed during pool closing 1990 January 2, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

NOTE: Lowest of four (4) quotations received. Funds provided in Replacement of Pool Filtration Systems, Dalewood Recreation Centre Account No. CF 5255 318941015.

2. (a) That a purchase order be issued to 309917 Ontario Limited o/a Western Plumbing & Heating, Hamilton, in the amount of \$81 900 for the renovations to pool filtration system at Dalewood Pool, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

As this work is to be completed during pool closing 1990 January 2, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

- (b) That a contract be entered into with the above firm satisfactory to the City Solicitor.

NOTE: Only quotation received. Funds provided in Pool Renovations to Filtration Systems, Dalewood Recreation Centre Account No. CF 5255 318941015.

3. That a purchase order be issued to Lilo Products, Hamilton, for the supply and delivery of Janitorial Paper Products as and when required during 1990 to Purchasing Stores, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of seven (7) tenders received. Funds provided in Purchasing Stores Inventory Account No. CH 56103 28999.

4. That a purchase order be issued to C.T.I. Business Furnishings Ltd., Mississauga, in the amount of \$12,725.25 plus provincial sales tax at 8% for the supply and delivery of furniture for the Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of four (4) quotations received. Funds provided in Traffic Department Renovations Account No. CF 5573 31841 201

5.
 - (a) That the 1989 Budget Estimates be annualized for those departments where additional staff were approved and added during 1989, by increasing the appropriate estimates for salaries and benefits so that the estimates reflect a full year's costs for added staff.
 - (b) That the sum total of all annualizations in the amount of \$412 350 be reflected in total to the Contingency account.
 - (c) That a "reserve for annualization" be created and initially funded by a charge to the appropriate departmental budgets in the 1989 accounts equal to the cost for annualization of added staff in 1989. The purpose of this reserve will be to help equalize estimates from one year to the next due to annualization of new or enhanced programs.

NOTE: Each department that added approved staff during 1989 would have a full year's estimate for salary and benefits reflected in their 1989 base, so that the relationship with the 1990 estimates is equal except for the inflationary factor. The Contingency account estimate for 1989 would reflect the sum total of all annualized estimates and be carried over into 1990; the amount in the new reserve will then be credited to the 1990 budget estimates to offset the deficit carry-over of the Contingency account. As a result, the 1989 surplus of the City will be decreased by the amount of the annualization.

6. (a) That the project, Computer Software, at a gross cost of \$150 000 as provided for in the 1989 Portion of the 1989-1993 Capital Budget be proceeded with at this time.
- (b) That the \$150 000 required for this project be financed from the "Reserve for Capital Projects".

NOTE: Permission to proceed with this Capital Project was approved by the Information Systems Committee at its meeting held 1989 December 21.

7. (a) That, in accordance with Section 17 of the Eleventh Report of the Finance Committee adopted by City Council 1988 June 28, the City's external auditors, Pannell Kerr MacGillivray, be authorized to proceed to complete the Comprehensive Audit on the Real Estate and Property Area.
- (b) That, consistent with the Comprehensive Audit Programme, a Steering Committee be established composed of three (3) elected representatives who shall not be Chairman or Vice-Chairman of the Finance and Administration Committee, and Mr. Dan Vyce, Director of Property, Mr. E. C. Matthews, Treasurer, and Mr. George Baker, Fire Chief, to oversee the balance of this Comprehensive Audit Assignment to ensure that it has been prepared and completed in compliance with the Comprehensive Audit Programme as approved by City Council 1989 November 14 on the recommendation of the Finance Committee and the "Scope Proposal" prepared by the consultants and submit recommendations and/or comments to the Comprehensive Audit Sub-Committee.

NOTE: The Comprehensive Audit on the Real Estate and Property Area was broken down into "Phases" in order to control and administer the project.

Phase I - Property Maintenance Division has been completed.

Phases II and III - Real Property Management and Architecture should now be commenced and completed. The remaining two phases were put on 'hold' pending a review of the Comprehensive Audit Programme by the Comprehensive Audit Sub-Committee of the Finance Committee.

8. (a) That approval be given to proceed with a Comprehensive Audit on the operations and functions of H.E.C.F.I. as soon as possible.
- (b) That the Treasurer and Manager of Purchasing be authorized to prepare specifications and call for tenders for this Comprehensive Audit.

- (c) That, following receipt of tenders, the Treasurer be authorized and directed to recommend the method of financing the consultant fees required to conduct this Comprehensive Audit Assignment.
 - (d) That, consistent with the Comprehensive Audit Programme, a Steering Committee be established composed of Aldermen T. Cooke, G. Copps, and D. Ross, and Mr. Gabe Macaluso, Managing Director/C.E.O., Mr. K. E. Avery, City Clerk, and Mr. Dan Vyce, Director of Property, to oversee this Comprehensive Audit Assignment to ensure that it has been prepared and completed in compliance with the Comprehensive Audit Programme, as approved by City Council 1989 November 14 and the consultant's "Scope Proposal" and submit recommendations and comments to the Comprehensive Audit Sub-Committee.
 - * (e) That the Terms of Reference Staff be directed to begin development for a Comprehensive Audit of the Licensing Division of the City Clerk's Department. Tendering will take place following budget approval of the funding.
9. (a) That Aldermen D. Agostino and T. Jackson be appointed to sit on the City's Accommodation Committee.
- (b) That the names of the above Council appointees be forwarded to Regional Council requesting they be included on the Region's Accommodation Committee.
10. (a) That the request of The Association of KIN Clubs for the City of Hamilton to purchase an ad in the special issue of the national publication "KIN Magazine" at a cost of \$455., be approved.
- (b) That the cost of the advertisement be financed from the City Clerk's Advertising Account No. CH 56302 12001.
11. (a) That the City of Hamilton purchase a 1/4 page in the information booklet of the Boys and Girls Clubs of Ontario which will be distributed to all of the public and high school libraries, daycare centres, abuse centres and the Children's Aid Society at a cost of \$225.
- (b) That the cost of the 1/4 page be financed from the City Clerk's Advertising Account No. CH 56302 12001.

NOTE: The purpose of this book is to let parents and children know where hope and help are available. Funds raised go toward helping under-privileged children through community-based programs.

** Section 8(e) added during Council*

12. That Mr. K. E. Avery, City Clerk, be appointed Film Advisory Officer for the City of Hamilton to act in an advisory capacity with respect to enquiries received from the Ontario Film Development Board and other interest groups regarding the possibility of using Hamilton locations in movies and television productions.

13. That the salary classification for the following new position in the Information Systems Department be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Administrative Assistant I	Provides administrative support to the Director of Information Systems and supervises the operations of the Administrative Support Division.	N	\$32,149.52 - \$37,911.12

14. That the salary classifications for the following new positions within the Information Systems Department be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Manager, Business Application Systems	Directs the development and maintenance of business, scientific and integrated office systems.	F	\$57,385.12 - \$67,525.12
Supervisor, Business Application Systems	Supervise Systems Analysts and programs in the development and maintenance of business application systems.	I	\$47,820.76 - \$56,347.72
Manager, Systems Planning	Prepare and implement strategic plans to ensure effective utilization of City and Regional computer resources.	H	\$49,664.68 - \$58,536.92
Supervisor, Technical Systems Services	Supervises Systems Analysts & Programmers in the development and maintenance of technical systems services.	I	\$47,820.76 - \$56,347.72
* Manager, Support Services	Supervise the provision of technical assistance support and training to ensure the productivity advantages of computer technology.	H	\$49,664.68 - \$58,536.92

* *Position added during Council*

* Manager, Operations	Manage the multi-shift, seven day a week operation of large multi-vendor Data Processing Systems.	H	\$49,664.68 - \$58,536.92
* Assistant Manager, Operations	Supervise the mainframe data processing facility.	J	\$45,747.00 - \$53,928.16
* Supervisor, Console Operations	Supervise the console activities within the Operations section.	M	\$34,569.60 - \$40,677.00

15. (a) That Alderman B. Hinkley, Chairman, Finance and Administration Committee, or his designate, be authorized to attend the 1990 Annual Conference of the Personnel Association of Ontario to be held in the City of Toronto 1990 February 28 to March 2.
- (b) That funding for attendance at this conference be charged to Human Resources Centre Account No. 142100 58602.

- **16. (a) That a three year Performance Excellence Programme, as outlined in the study design report previously distributed to all Members of City Council, be approved.
- (b) That the Performance Excellence Programme Steering Committee be authorized to proceed with the programme.
- (c) That the cost of the programme, as estimated in the budget section of the study design report, be shared equally by the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (d) That the estimated \$414 850 total City's cost of the Region/City Performance Excellence Programme over two years, including approximately \$35 000 in start-up costs, be financed from the Reserve for Sick Leave, and that this reserve be repaid from expected savings from the programme starting in 1992.

17. That the Appointments to and Terminations from Permanent positions with the Corporation to 1989 December 19, attached hereto and marked Appendix "A", be approved.

18. That permission be granted to the request of the Hamilton Jewish Community Centre to use the City Hall Council Chambers Sunday, 1990 May 6 at 7:30 o'clock p.m. for their Max Rotman Humanitarian Award Ceremony.

* Positions added during Council
 ** Section 16 referred to the 1990 Budget process for consideration.

19. That approval be given to the action taken by the Finance and Administration Committee in authorizing the Ukrainian Canadian Committee, Hamilton Branch, to use the Council Chambers on Saturday, 1990 January 20 for their Annual Ceremony of the Proclamation of Independence Day in Ukraine.
- * 20. (a) That Civic Awards be made to the members of the Hamilton Sportsworld Spartans Touch Football Team in recognition of winning the Canadian Touch Football Championships held in Saskatoon 1989 October 20-22.
- (b) That the cost of these awards be funded from the Civic Pins, Medals and Rings, Account No. CH 56126 84010.
21. For the information of the Members of Council, the Finance and Administration Committee at its meeting held 1990 January 4 approved of the establishment of a Sub-Committee comprised of Aldermen J. Gallagher and D. Agostino to review all aspects of the secretarial and support services currently provided to the Aldermen and report back.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson
Secretary
1990 January 4

/bc

* *Recorded vote, see page 1840*

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Linda D. Ambridge	Senior Accounting Clerk (11)	Convention Centre	Replacing Ms. J. Evans - resigned	\$26,848.64	\$26,848.64 per annum	27/11/89
Ms. Ann Apkarlan	Taxation Clerk IV (E-4)	Treasury	Replacing Ms. K. Grywacheski - transferred	\$21,905.52 to \$23,478.00	\$23,478.00 (3 of 3) per annum	11/12/89
Ms. Barbara E. Bazinet	Budget Analyst (L)	Treasury	Additional Staff as approved in 1989 Budget	\$36,989.16 to \$43,557.28	\$43,557.28 (5 of 5) per annum	11/12/89
Mr. Stephen J. Chang	Architect (Co-ordinator) (I)	Property	Additional Staff as approved in 1989 Budget	\$47,582.60 to \$56,067.44	\$51,968.80 (3 of 5) per annum	18/12/89
Ms. Liana Chrystian	Taxation Clerk IV (E-4)	Treasury	Replacing Ms. D. Blake - promoted	\$21,905.52 to \$23,478.00	\$21,905.52 (1 of 3) per annum	20/11/89
Mr. Murray Cole	Captain (C-8/A)	Fire	Replacing Mr. J. Cardwell - promoted	\$51,569.07	\$51,569.07 per annum	26/11/89
Mr. Vincent J. Cosentino	Parking Meter Collection Clerk (A-3)	Treasury	Replacing Mr. R. Leadbetter - retired	\$21,739.64 to \$24,696.36	\$22,804.92 (2 of 4) per annum	27/11/89
Mr. Larry A. Crooker	Labourer/Truck Driver (D-7)	Public Works	Replacing Mr. D. Embleton - transferred	\$27,202.24 to \$27,618.24	27,618.24 (2 of 2) per annum	15/11/89

Prepared 19/12/89

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Appendix "A" as referred to in
Section 17 of the FIRST Report of
the Finance and Administration
Committee for 1990.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Lynda Fthenos	Stenographer IV (E-2)	Public Works	Replacing Ms. D. Blackwell - retired	\$18,718.44 to \$20,165.60	\$18,718.44 per annum (1 of 3)	13/11/89
Mr. Robert D. Galloway	Draftsman/Woman II (A-6)	Traffic	Replacing Mr. R. Andoga - resigned	\$25,053.08 to \$30,047.16	\$25,053.08 per annum (1 of 5)	18/12/89
Ms. Natalie Gould	Building Inspector (A-12)	Building	Additional Staff as approved in 1989 Budget	\$32,425.64 to \$38,041.12	\$32,425.64 per annum (1 of 5)	20/11/89
Mr. K. Roland Henderson	Labourer/Truck Driver (D-7)	Public Works	Replacing Mr. B. Merritt - promoted	\$27,202.24 to \$27,618.24	\$27,202.24 per annum (1 of 2)	09/12/89
Mr. Vincent Kirkham	Traffic Serviceman/ Woman II (A-3)	Traffic	Replacing Mr. D. Walker - promoted	\$21,739.64 to \$24,696.36	\$21,739.64 per annum (1 of 4)	30/10/89
Ms. Karen A. Leslie	Assistant Supervisor of Accounting (M)	Treasury	Replacing Mr. J. Spiller - promoted	\$34,569.60 to \$40,677.00	\$37,450.40 per annum (3 of 5)	12/12/89
Ms. Sandra Lucas-Norris	Draftsman/Woman II (A-6)	Traffic	Replacing Mr. R. Andoga - resigned	\$25,053.08 to \$30,047.16	\$26,099.32 per annum (2 of 5)	11/12/89
Mr. Glen A. McCrory	Building Inspector (A-12)	Building	Replacing Mr. G. Farrell - promoted	\$32,425.64 to \$38,041.12	\$32,425.64 per annum (1 of 5)	04/12/89

Prepared 19/12/89

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. David Rientles	Motor Mechanic (D-17)	Public Works	Replacing Mr. B. Park - resigned	\$32,878.56 to \$33,294.56	\$32,878.56 per annum (1 of 2)	20/11/89
Mr. Ming Yong	Truck Driver (Districts) (D-8)	Public Works	Replacing Mr. M. McEntee - promoted	\$27,362.40 to \$27,778.40	\$27,362.40 per annum (1 of 2)	26/11/89

Prepared 19/12/89

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Boon	Handyman	Central Utility Plant	Terminated	25 years, 1 month	28/08/88
Mr. Kevin Collins	Truck Driver	Public Works	Terminated	2 months	12/12/89
Mr. Michael Feyerer	Firefighter	Fire	Deceased	13 years, 7 months	18/11/89
Mr. Edward A. Simpson	City Clerk	City Clerk's	Retired	43 years, 7 months	29/12/89
Mr. Anton Tabuns	Motor Mechanic	Public Works	Retired	10 years, 2 months	30/11/89
Ms. Renate Velke	Information Desk Supervisor	Hamilton Convention Centre	Resigned	2 years, 1 month	25/11/89

Prepared 19/12/89

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance and Administration Committee presents its SECOND Report for 1990 and respectfully recommends:

1. That the Treasurer be authorized to make application to hire one trainee under the Ontario Municipal Internship Program for a two year period commencing 1990 July 2 and terminating 1992 July 3.

NOTE: The net City's share of this program in the amount of \$4040. has been provided for in Treasury Account No. CH51001 25110 in 1990.

2. That the Treasurer be authorized to make application to hire one student under the Involvement in Municipal Administration Program - 1990 for an 18 week period commencing 1990 April 30 and terminating 1990 August 31.

NOTE: The net City's share of this program in the amount of \$2950. has been provided in Treasury Account No. CH51001 25110 in 1990.

3. That the prelevy residential and non-residential mill rates for 1990 be established at figures slightly below 50% of the 1989 respective mill rates as follows:

(a) (i) That a real property tax prelevy mill rate of 162 mills be established for 1990 to be billed in two installments of 81.0 mills each, payable 1990 February 28 and March 30. This prelevy rate represents 49.988% of the 1989 residential mill rate.

(ii) That a business tax prelevy mill rate of 190 mills be established for 1990 to be billed in one installment, payable 1990 February 28. This prelevy rate represents 49.834% of the 1989 non-residential mill rate.

(b) That a non-metered water and sewer surcharge prelevy be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1989 charge to be billed in two equal installments, payable 1990 February 28 and March 30.

4. That outstanding business taxes in the amount of \$68 765.36, be written-off in accordance with Section 495 of The Municipal Act, R.S.O., 1980, and charged to Account No. CH15401 00001, Tax Write-Offs.

NOTE: Detailed information respecting these write-offs can be obtained by contacting the Secretary of the Finance and Administration Committee or the Treasurer.

5.
 - (a) That the Capital Financing Plan for the Hamilton S.P.C.A., under a "User Pay Method" formula, as prepared by the Finance Department of the Regional Municipality of Hamilton-Wentworth and received at the Regional Council meeting of 1989 December 19, be approved by the City of Hamilton, and
 - (b) That the City of Hamilton pay an amount each year for the services of the Hamilton S.P.C.A., based upon a "User Pay Method" of allocating costs to each respective municipality, and that,
 - (c) the Service Fees, based upon the employment of the User Pay Method and applied to the Hamilton S.P.C.A. 1990 Operating Budget, be adopted.
 - (d) That the "User Pay Fees" and "Capital Contributions" be incorporated into the terms of contractual arrangements between the Hamilton S.P.C.A. and the City of Hamilton.
 - (e) That a contract for the purchase of Hamilton S.P.C.A. Services be executed which will be uniform amongst all municipalities.
6. That the Treasurer be authorized to prepare the necessary By-law for the authorization to borrow monies to pay off bank overdrafts for 1990, as and when they arise for current expenditures to a maximum of \$8 000 000.
7.
 - (a) That all City Department Heads and Local Board Managers thoroughly examine their operations and collectively identify existing services and programs which could be considered for reduction or elimination;
 - (b) That the Chief Administrative Officer and Treasurer co-ordinate the above task with the objective of compiling service/program packages totalling approximately \$2 000 000. which would represent a possible reduction to the preliminary City mill rate increase from 7.6% to 5.6% or lower (the current Consumer Price Index for Ontario).
 - (c) That these information packages be reviewed by the Standing Committees in the latter half of February in conjunction with the review of the 1990 Estimates of the Departments and Boards, with the objective of:
 - (i) facilitating the review by the Committees by reducing or eliminating the necessity of a detailed "line by line" examination of individual budgets;
 - (ii) assisting Standing Committees in applying the budget review process in a consistent manner.

- * 8. That approval be given to the following tentative time frame for the 1990 current budget review process:

January 25	-	1990 Current Budget Overview to Finance and Administration Committee and City Council
February 19-23	-	1990 Current Budget Presentations to the Standing Committees
March 16 and 23	-	Committee of the Whole considers Current Budget (second meeting only if necessary)
April 10	-	1990 City Estimates approved by City Council
April 24	-	1990 Mill Rates approved by City Council

9. That purchase orders be issued for the supply and delivery of safety equipment as and when required during 1990 to Purchasing Stores, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

(a) Lawlor & Co., Hamilton

Rain pants	-	medium, large and x-large	12.15 each
		xx-large	13.95 each
Rain jackets	-	medium, large and x-large	13.69 each
		xx-large	15.74 each
Rain coats	-	medium, large and x-large	19.96 each
		xx-large	22.95 each
Rain hats			3.25 each
Full face pieces			168.10 each
Respirator	-	face pieces	19.10 each
	-	cartridges 7500-1 and 7500-2	21.05 each
	-	cartridges 7500-4	29.40 each
Filter	-	cartridges 7500-7	18.65/6
	-	7500-8	20.30/4
	-	7500-83	18.60/2
	-	N7500-6B	53.30/100
	-	N7500-9	12.48/10
	-	N7500-10B	70.20/100
	-	holders	2.00 each
	-	covers	1.25 each
	-	assemblies	5.20/2
	-	pesticides	79.25/100
	-	wipe pads 7003	14.25/pkg.
	-	80836 peel-off window	10.25/10
	-	80993 powder	15.85/gal.

Provincial sales tax extra at 8%

NOTE: Lowest of seven (7) tenders received. Funds provided in various Stock Inventory Accounts.

(b) Flex-o-lite, Belmont

Traffic vests	10.07 each
12" Traffic cones	2.96 each
18" Traffic cones	4.90 each
28" Traffic cones	9.91 each
Barricading tape	16.90 each
Provincial sales tax extra at 8%	

NOTE: Lowest of eleven (11) tenders received. Funds provided in various Stock Inventory Accounts.

10. That a purchase order be issued to Charles Jones Industrial Ltd., Stoney Creek in the amount of \$31 206.69 plus taxes where applicable, for the supply and delivery of shovels, rakes, forks, hoes, etc. as and when required during 1990 to Purchasing Stores in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of five (5) tenders received. Funds provided in various Stock Inventory Accounts.

11. That purchase orders be issued for the supply and delivery of six (6) vehicles for the City Garage in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

(a) Mohawk Ford Sales, Hamilton

In the amount of \$47 485.44 to supply three (3) vehicles

(b) Corfe Pontiac Buick, Hamilton

In the amount of \$50 682.12 to supply three (3) vehicles

NOTE: Lowest acceptable of eleven (11) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH4X503 00101.

12. That a purchase order be issued to Mohawk Ford Sales, Hamilton, in the amount of \$17 520.84 for the purchase of one (1) full size vehicle to replace unit no. 9084, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of nine (9) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101 for 1990.

13. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$70 194.60 for the purchase of one (1) 52 000 lbs. GVW Chassis to replace unit no. 9456, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101 for 1990.

14. That a purchase order be issued to Mohawk Ford Sales, Hamilton, in the amount of \$11 632.68 for the purchase of one (1) compact vehicle to replace unit no. 9086, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of six (6) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101 for 1990.

15. That purchase orders be issued for the supply and delivery of electric light bulbs as and when required for Purchasing Stores during 1990, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

- | | |
|-----------------------------------------|--------------|
| (a) <u>Westinghouse/Wesco, Hamilton</u> | |
| Approximate value of order | \$ 82 770.54 |
| Terms 2% 10 days, net 30 days | |
| Discount off items not listed - 50% | |
| Provincial sales tax extra at 8% | |
| (b) <u>Westburne Electric, Hamilton</u> | |
| Approximate value of order | \$ 46 869.64 |
| Terms 2% 10 days, net 30 days | |
| Discount off items not listed - 55% | |
| Provincial sales tax extra at 8% | |
| (c) <u>Sesco Limited, Burlington</u> | |
| Approximate value of order | \$ 10 911.75 |
| Terms net 30 days | |
| Discount off items not listed - 50% | |
| Provincial sales tax extra at 8% | |

NOTE: The suppliers being recommended have bid the lowest unit prices of seven (7) tenders received on the 200 types of light bulbs included in the tender. Funds are provided in various Stock Inventory Accounts.

16. That a purchase order be issued to Mohawk Ford Sales, Hamilton, in the amount of \$11,396.16 for the supply and delivery of one (1) 1990 compact vehicle, Building Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of four (4) tenders received. Funds provided in Automotive Equipment Account No. CH58002 50001.

17. That the Corporation of the City of Hamilton issue a purchase order to Robertson Building Systems Ltd., to supply only formawall panels extruded sill section, joint covers etc., for repairs to the King Street West Pedestrian Bridge, for an estimated price of \$42 000.

NOTE: With the concurrence of the City Treasurer, it is recommended that this materials supply, be financed from the Reserve of Uninsured Losses, pending reimbursement from the insurance companies.

18. (a) That an Offer to Purchase executed by the Regional Municipality of Hamilton-Wentworth on 1989 December 8 and scheduled for closing on or before 1990 March 28 for the sale of City property at 150 Mud Street be approved and completed.

NOTE: This property which is required by the Region for freeway purposes has a frontage along the southerly limit of Mud Street of 87.6 feet (26.7 metres) more or less, by a depth of 264 feet (80.47 metres). The sale price of \$3 066.44 is to be credited to Account No. CH4X501 00102.

- (b) That an Option to Purchase executed by the Regional Municipality of Hamilton-Wentworth on 1989 December 8 and scheduled for closing on or before 1990 March 28 for the purchase by the City of 30 Mud Street be approved and completed.

NOTE: This property which is required by the City for open space purposes has a frontage on a 12 foot (3.65 metre) right-of-way of 119.64 feet (36.47 metres) by a depth of 190 feet (57.9 metres) more or less. The purchase price of \$4 703.11 is to be returned to the Ministry of Transportation within 90 days of the conveyance of this parcel of land by the Project Director of the Freeway Project Office.

Consideration in the amount of \$1. has been paid to the Region and pursuant to the agreement forms part of the purchase price.

- *19. (a) That the City enter into an encroachment agreement with the Regional Municipality of Hamilton-Wentworth endorsing the placement of the Canadian Football Hall of Fame and Museum Sign on the Regional Road Allowance on Main Street West.
- (b) That the Mayor and City Clerk be authorized to execute an encroachment agreement satisfactory to the City Solicitor.
20. (a) That the account of Martin & Martin, Barristers and Solicitors, in the sum of \$4 693.40 for services rendered from 1989 April 1 to the end of 1989 on behalf of the City of Hamilton in connection with the Hamilton Eaton Centre Project be approved for payment.
- (b) That this amount be financed from Account No. CH5X9270 0102, Reserve for Property Purchases.

21. (a) That the following updated Terms of Reference for the Keep Hamilton Clean Committee, be approved:

In addition to any other duties prescribed by City Council, the duties and responsibilities of the Keep Hamilton Clean Committee shall be as follows:

- (i) To report and/or recommend to the appropriate Standing Committee(s) of City Council on matters with respect to littering, dumping, defacing property by means of illegal postings, graffiti, etc. and generally on keeping Hamilton clean.
 - (ii) To report to the Finance and Administration Committee on all other matters.
 - (iii) The Committee shall be composed of at least one member of City Council and nine citizens appointed by City Council on the recommendation of the Finance and Administration Committee.
 - (iv) The terms of the Committee members shall be staggered such that three citizens are appointed annually.
 - (v) The Committee shall be a policy formulating and deliberating body with authority only to recommend; with the exceptions of specific areas or programs delegated to the Committee or approved by City Council.
 - (vi) The Committee shall annually elect from within its membership a Chairperson and Vice Chairperson; neither of who shall serve in this capacity for longer than two City Council terms.
- (b) That the Keep Hamilton Clean Committee be the central committee responsible for organizing and co-ordinating the "PITCH-IN Week" activities during a week in May each year.

- *22. (a) That the 1990 Road and Sidewalk Capital Reconstruction Program attached hereto as Schedule "A" in the amount of \$8 800 000., be approved on the understanding that the net cost to the City after application of the Roadway Subsidy will not exceed \$4 000 000. (of the estimated \$5 500 000. City's share) and that this net cost be financed by the 1990 Capital Levy.
- (b) That the proposed widening from 7.3 m to 8.5 m of Holly Avenue, from Beach Road to McAnulty Boulevard, be advertised under Section 301 of The Municipal Act and the necessary alteration By-law be prepared by the City Solicitor and the City Clerk.
- (c) That the Commissioner of Engineering be authorized to undertake the works on behalf of the City of Hamilton once all necessary approvals have been received.

NOTE: This Capital Project was approved by the Transport and Environment Committee at its meeting on 1990 January 22.

This project is included in the provisional 1990 - 1994 Capital Budget and is being recommended for approval at this time prior to approval of the 1990 Capital Budget in order to allow the Regional Engineering Department to proceed on the City's behalf with the preliminary work necessary for the calling of tenders as soon as possible.

The Commissioner of Engineering will be developing a Supplementary List of projects for consideration by the Transport and Environment Committee and City Council.

Depending on the 1990 tender prices, projects listed in the Supplementary List may be constructed in 1990 or will have to be rescheduled in the coming year.

23. (a) That the construction of a concrete sidewalk on the south side of Barton Street from Kenora Avenue to Centennial Parkway be proceeded with as a local improvement pursuant to Section 12 of The Local Improvement Act, at an estimated gross cost of \$64 000. as provided for in the 1989 portion of the 1989 - 1993 Capital Budget as Project No. 39000 - City's share (\$33 377.60) and Project No. 89000 - Owner's share (\$30 622.40).
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to finance the project at an estimated cost of owner's share of \$30 622.40, as well as a City's share of \$33 377.60, by the issuance of debentures totalling \$64 000. for a period not to exceed 20 years and further, that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$64 000. for a term not to exceed 20 years for this project.
- (c) That the City Clerk and Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.
- (d) That Section 3 of the THIRTEENTH Report of the Co-ordinating Committed adopted by City Council on 1989 July 25, be rescinded.

NOTE: This project which is included in the 1989 - 1993 Capital Budget was approved by the Transport and Environment Committee at its meeting on 1990 January 22.

This project which was originally approved by City Council 1989 July 25 provided for the construction of concrete sidewalks on both the north and south sides of Barton Street. A sufficiently signed petition against the work on the north side of Barton Street was received therefore necessitating a revision to the original Council approval.

24. (a) That the procedure for the hiring of Department Heads be amended to replace all references to the "Co-ordinating Committee" and the "Personnel Committee" with the "Finance and Administration Committee".

*(b) That the procedure for hiring of Department Heads be amended to include a provision to hold a special meeting of the Finance and Administration Committee within one hour prior to a City Council meeting. The purpose of such special meeting will be to present the recommendation of the Selection Committee to the Finance and Administration Committee. All Council members are to be invited to such meetings as observers.
 25. That the Summary Report attached hereto as Appendix "B" containing a listing and amounts of approved Settlement of Claims, be received.
 26. That the request of the Hamilton Mundialization Committee for permission to use the Council Chambers and the rotunda area outside the Council Chambers on Sunday, 1990 February 4 for their Annual Interfaith Meeting, be approved.
 27. That the request of the Executive Committee of the 18th Western Mardi Gras Convention and International Mardi Gras Festival for permission to use the Council Chambers on Saturday, 1990 February 3 at 10:00 a.m. for the purpose of holding a mock Regional Council session to officially commence the Mardi Gras celebrations being held within the Regional Municipality of Hamilton-Wentworth, be approved.
 28. That the request of the Hamilton Region Conservation Authority for permission to display a 14-piece photography exhibition entitled "Conservation Images" in the City Hall foyer area during the month of May 1990, be approved.
 29. That approval be given to the request of the Local Architectural Conservation Advisory Committee to use:
 - (a) The Council Chambers on Monday, 1990 February 19 from 11:30 o'clock a.m. to 1:30 o'clock p.m. for the purpose of conducting a proclamation ceremony for Heritage Week to be held from 1990 February 19 to 1990 February 25.
 - (b) The second floor foyer from 1990 February 16 to 1990 February 23 for the purpose of displaying heritage exhibits for Heritage Week 1990.
 30. That the City of Hamilton accept the Offer to Settle made by Bell Canada in the amount of \$135 000. and \$15 000. for costs in connection with a motor vehicle accident that occurred on 1981 December 17 between a vehicle driven by Robert Duckworth, an employee of the City of Hamilton and William Oddie, an employee of Bell Canada.
- * *Section 24(b) amended by deleting from the last line the words "as observers" so that the last sentence reads: All Council members are to be invited to such meetings.*

31. That the claim for damages of Ms. Airth as a result of a slip and fall accident on a municipal sidewalk, be settled in the amount of \$10 000. inclusive of interest and costs.
32. That the City of Hamilton accept the sum of \$43 500., plus assessed costs, in full settlement of the claim of Mr. Orr, City employee against Mr. Patterson in connection with a motor vehicle accident in which the City employee was struck by a vehicle exiting a parking space, while the City employee was in the course of preparing a parking ticket for that vehicle.
33. That the City make an Offer to Settle District Court Action No. 3317/86 Re: Paulo Lofaro and Giovanna Lofaro vs The Corporation of the City of Hamilton in the following terms.
 - (a) That if the Offer to Settle is accepted by the Plaintiff on or before 5:00 o'clock p.m., e.s.t., 1990 February 8, the City pay to the Plaintiff the sum of \$25 000., inclusive of interest and costs.
 - (b) That if the Offer to Settle is accepted after 5:00 p.m., e.s.t., 1990 February 8, the City pay to the Plaintiff the sum of \$20 468.75, inclusive of interest and costs.
 - (c) That the Plaintiff provide the City of Hamilton with a Full and Final Release in a form satisfactory to the City Solicitor.
 - (d) That thereafter the action be dismissed without costs.
 - (e) That the Offer to Settle remain open for acceptance until withdrawn or until the commencement of trial, whichever first occurs.
34. That payment of the account of Weir & Foulds, Davis, Webb, Barristers and Solicitors dated 1989 November 16 in the amount of \$11 272.90, be approved.
35. That the City of Hamilton pay the sum of \$13 862.57 to Mackesy, Smye, Turnbull, Grilli and Jones, Barristers and Solicitors in payment of their account dated 1989 December 21 regarding an Ontario Municipal Board Appeal by 645737 Ontario Limited related to 986 - 988 Upper Wentworth Street, in the City of Hamilton.
36. That the following resolution from the Corporation of the Borough of East York respecting a Termite Control Programme, be endorsed:

WHEREAS the Ministry of the Environment has announced that the provincial grant program for the control of termites will be discontinued, effective 1990 March 31;

AND WHEREAS East York has one of the most extensive termite problems of all Ontario municipalities;

AND WHEREAS homeowners will have to bear 100% of the treatment cost to control the spread of termites within the housing stock with the expected result that the termite infestation problem in East York will increase at a greater rate than in the past;

AND WHEREAS the termination of the grant program and the new pesticide restrictions underscores the importance of research into alternate methods of termite control as is underway at the University of Toronto and supported by East York;

THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Borough of East York urgently request the Ministry of the Environment to review and withdraw the decision to terminate the funding of the Termite Control Program;

AND BE IT FURTHER RESOLVED THAT the Borough Clerk be directed to circulate copies of this resolution to affected area municipalities requesting their endorsement of this resolution for the continuance of the grant program.

37. That the request of Mr. Christopher C. Breen, Solicitor on behalf of his client Mr. Les Scanlon for permission to include the name "Hamilton" in the proposed incorporation of a corporation without share capital for "Olde Guard Historical Society of Hamilton", be approved.

38. (a) That a grant in the amount of \$5 000. be made to the Around the Bay Road Race Committee of Hamilton Sertoma Inc. to be used to assist in defraying expenses to be incurred in staging the 1990 Around the Bay Road Race on 1990 March 25.

(b) That this grant be financed from the 1990 Grant Budget Allocation.

39. That a donation in the amount of \$3 000. be made to the Romanian Relief Fund and that this expenditure be financed from the Unclassified Account.

*40. That the Hamilton-Wentworth Regional Police Commission, in an effort to clarify the public record, provide Regional Council with a written public statement regarding its position on the Solicitor General's recommendations on the Claire Lewis Task Force Report.

NOTE: The above recommendation of the Mayor's Race Relations Committee was referred to the Finance and Administration Committee by City Council.

41. That leave be granted to introduce the following Bills:

- (a) Bill A-1 A By-law to Authorize Increased Costs for the Construction of An Addition to the Terryberry Public Library
- (b) Bill A-2 A By-law to Amend By-law No. 89-254 to Authorize Finance the Floodlighting of Three Ball Fields at Globe Park
- (c) Bill A-3 A By-law to Authorize the Expansion of the Red Hill Library
- (d) Bill A-4 A By-law to Authorize the Borrowing of \$8 000 000. to Finance Bank Overdrafts as and when they Arise from Current Expenditures
- (e) Bill A-5 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1990 January 25

mjw

Section 40 amended to read:

40(a) That the Hamilton-Wentworth Regional Police Commission, in an effort to clarify the public record, provide City Council with a written public statement regarding its position on the Solicitor General's recommendations on the Claire Lewis Task Force Report.

NOTE: The above recommendation of the Mayor's Race Relations Committee was referred to the Finance and Administration Committee by City Council.

*(b) That the Hamilton-Wentworth Regional Police Commission provide an explanation to clarify the last sentence of the second paragraph on page 4 of the Report of the Regional Police Department in response to the Report of the Task Force on Race Relations and policing:
"The visible minorities must be educated and change their beliefs, attitudes and behaviour towards the police to compliment police reforms."*

SCHEDULE "A"

1. Reconstruction of Road and Sidewalk Capital Reconstruction Programme
 - (a) Kingsmount Street, Sanders to Glenmount
 - (b) Hollywood Street, Sanders to Glenmount
 - (c) Glenmount Avenue, Kingsmount to Leland
 - (d) East 16th Street, Brucedale to Fennell
 - (e) East 18th Street, Fennell to Vickers
 - (f) Franklin Road, Upper Sherman to 420 m westerly
 - (g) Holly Avenue, Bead to McAnulty
 - (h) Sunninghill Avenue, Upper Gage to Upper Ottawa
 - (i) Catharine Street, Barton to Cannon
 - (j) Dunn Avenue, Brampton to Leaside
 - (k) Edgewood Avenue, Upper Ottawa to High
 - (l) East 21st Street, Concession to Fennell
 - (m) East 25th Street, Crockett to Fennell
 - (n) East 22nd Street, Crockett to Fennell
 - (o) East 23rd Street, Crockett To Fennell
 - (p) East 37th Street, Brucedale to Mohawk
 - (q) Wellwood Avenue, Edgewood to Brucedale
2. Construction of sidewalks proposed to be undertaken by the City along sections of Regional Roads that are going to be rehabilitated in 1990 through the Regional Road Reconstruction Programme:
 - (a) Cannon Street, Victoria to Sherman
 - (b) John Street, young to St. Joseph's
 - (c) Kenilworth Avenue, Beach to Barton
 - (d) Main Street, King to Tuxedo
 - (e) Main Street, Paradise to James
 - (f) Barton Street, Ferguson to Wellington
 - (g) Wilson Street, James to Sanford
 - (h) Fennell Avenue, Upper Gage to Upper Ottawa
3. Sidewalks on local streets proposed for reconstruction due to their deteriorated condition or in conjunction with area improvements. Projects proposed in this category are as follows:
 - (a) Erindale Avenue, Montrose to Greenhill
 - (b) Weir Street, Central to South end
 - (c) Tuxedo Avenue, Central to Monterey
 - (d) Stinson Avenue, Victoria to West

Schedule "B" as referred to in
Section 25 of the SECOND Report
of the Finance and Administration
Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Maria Pinto and Rosina DiFranco	City of Hamilton	Trip and Fall 1987 October 14	\$ 2 500.00
Eduardo Loforte	City of Hamilton	Slip and Fall 1987 July 18	\$ 1 500.00
Mr. Ricci	City of Hamilton	Fall 1984 February 28	\$ 3 750.00
Glavicic	City of Hamilton	Motor Vehicle Accident 1987 September 18	\$ 4 250.00
City of Hamilton and Mr. Michael Boyle	Mr. K. Devries	Motor Vehicle Accident 1987 June 1	\$ 4 563.01

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its THIRD Report for 1990 and respectfully recommends:

1. That the Offer to Purchase the property at 18 Main Street East, the south-west corner of Main Street East and Hughson Street South, from DeSantis Group Inc. be amended as follows:
 - (i) that the closing date of the transaction be extended from May 8, 1990 to within 60 days after a decision of the Ontario Municipal Board approving of minor variances or a zoning change required for the approval of the site plan and subsequent development, but in any event no later than December 31, 1990;
 - (ii) that the construction commencement date be within eight (8) months after the closing date and the construction completion date shall be within two (2) years following the commencement of construction;
 - (iii) that the Mayor and City Clerk be authorized to enter into an agreement to amend the Agreement of Purchase and Sale incorporating these changes;
 - (iv) time is to remain of the essence and all other terms and conditions are to remain the same.

NOTE: On November 28, 1989, City Council in adopting Section 4 of the TWENTY-FIRST Report of the Co-ordinating Committee approved of extending the closing date with respect to the sale of the City owned property at 18 Main Street East to DeSantis Group Inc. to May 8, 1990. This extension was granted recognizing the transaction stipulates that it is subject to the Purchaser obtaining the site plan approval and in recognition that there has been an appeal to the O.M.B. of the decision of the Committee of Adjustment with respect to certain minor variances required for the development to be approved.

Notwithstanding the fact that Mr. DeSantis and his entire team of consultants have been proceeding with due diligence towards site plan approval, there is still insufficient time to procure same since the approval of the Committee of Adjustment by the O.M.B. has not been received. A date for the O.M.B. Hearing has been scheduled for February 7th, 8th and 9th, 1990. Under normal circumstances, a decision should be available on or before May 8, 1990.

However, if the O.M.B. decides that the amendments to the zoning are not "minor" in nature and should be the subject of a complete rezoning of the lands, then additional time to procure this further approval will be required as a separate hearing will be necessary. A rezoning application has already been made in the event the O.M.B. decides the amendments are not "minor" in nature and in fact a rezoning by-law will be considered by City Council on January 30, 1990 and be subject to O.M.B. approval.

Before proceeding to the February 7th hearing, it would be desirable from the developers point of view to obtain this further extension of the closing to 60 days following the O.M.B. approval of a rezoning to allow the proposed development to proceed, but in any event no later than December 31, 1990.

It is therefore recommended the City grant approval to this further extension of the closing date.

- * 2. That Ms. Patrice Noe Johnson be appointed to the position of City Solicitor effective upon agreement on the terms and conditions of employment and that the Commissioner of Human Resources and the Chief Administrative Officer be authorized to negotiate the provisions of a contract with Ms. Johnson within Salary Schedule "B", for a term of 5 years. Said contract to be signed by both parties prior to the commencement of employment.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson
Secretary
1990 January 30
/bc

* *Section 2. amended to read:*

That Ms. Patrice Noe Johnson be appointed to the position of City Solicitor effective upon agreement on the terms and conditions of employment and that the Commissioner of Human Resources and the Chief Administrative Officer be authorized to negotiate the provisions of a contract with Ms. Johnson within Salary Schedule "B", for a term of 3 years. Said contract to be signed by both parties prior to the commencement of employment.

Recorded votes, see page 1841

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FIRST Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$51 985.80 for the supply and delivery of One (1) 24,500-25,000 lb. GVW Chassis with Stake Dump and Crane, Unit #9267, for Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

2. That a purchase order be issued to Snap-on Tools, Caledonia, in the amount of \$10 569.52, for the replacement of hand tools stolen from the Chedoke Workshop.

NOTE: Inasmuch as these tools were required immediately, the above was processed through the emergency procedures of the City of Hamilton Purchasing Policy and is being submitted at this time for formal Council approval.

Funds provided in Reserve for Uninsured Losses Account No. CH5X90300117.

3. That a purchase order be issued to Dufferin Concrete Products, Hamilton, for the supply and delivery of Concrete as and when required during 1990 and 1991 by the Public Works Department in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

<u>Dufferin Concrete Products, Hamilton</u>	<u>1990</u>	<u>1991</u>
2% Calcium Chloride	\$ 2.00/m ³	\$ 2.00/m ³
Heat	\$ 7.00/m ³	\$ 7.00/m ³
Sidewalk, Curb, Roadway Concrete Delivered	\$102.20/m ³	\$106.20/m ³
Sidewalk, Curb, Roadway Concrete Picked up	\$ 96.20/m ³	\$100.20/m ³
Unshrinkable Fill-Delivered	\$ 57.25/m ³	\$ 61.25/m ³
-Picked up	\$ 52.25/m ³	\$ 56.25/m ³

After 5:00 p.m. and before 9:00 p.m. add \$ 8.00/m³
 After 9:00 p.m. and before 7:00 a.m. add \$16.00/m³
 Underload charges 1 m³ - \$120.00
 2 m³ - \$ 80.00
 3 m³ - \$ 50.00
 4 m³ - \$ 30.00

NOTE: Lowest of five (5) tenders received. Funds provided in Stock Inventory Account No. CH56197 60999.

4. That purchase orders be issued for the supply and delivery of Sign Blanks for the Traffic Department in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

(a) Acme Signs (Ontario) Inc., Rexdale

In the amount of \$76 311.28

(b) Mechanical Advertising Inc., Oshawa

In the amount of \$66 260.08

Provincial sales tax extra at 8%

NOTE: Lowest of two (2) tenders received. Funds provided in Traffic Sign Materials Account No. 56154 75999.

5. That purchase orders be issued for the supply and delivery of Aggregates for the Public Works Department as and when required during 1990 and 1991, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

	<u>1990</u>	<u>1991</u>
(a) <u>Cayuga Materials, Cayuga</u>		
Granular 'A', 9.5mm Screenings,		
19mm & 53mm Crusher Run	\$ 7.61	
(b) <u>Steetley Lime & Aggregates, Dundas</u>		
19mm and 53mm Clear	\$ 9.25	\$ 9.85
9.5mm and 6.4mm Chips Washed	9.50	10.10
75 - 200mm Gabion Stone	13.89	14.29
Granular 'A', 19mm & 53mm Crusher Run		8.65
9.5mm Screenings		8.40
(c) <u>TCG Materials, Cambridge</u>		
19mm Crusher Run		8.65

NOTE: Sufficient funds have been provided in various Stock Inventory Accounts. Vendors were selected on the basis of lowest bidder for each product. Any applicable taxes extra.

6. That purchase orders be issued for the supply and delivery of Asphalt for the Public Works Department as and when required during 1990 in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

- (a) Cayuga Materials, Cayuga
 Stone Filled Sheet Asphalt Surface Course HM3 - \$45.25
 Asphalt Binder Course HM5 - 40.02
 Liquid Asphalt Cement - 1.35 litre
- (b) Red-D-Mix Concrete, Hamilton
 Steel Slag Asphalt - \$50.22 Mar.1-Apr.15
 Stone Filled Sheet Asphalt Surface Course HM3 - 45.36
 Asphalt Binder Course HM5 - 39.69
 Hot Liquid Asphalt for winter patching - 1.30 litre
 Liquid Asphalt Cement - 1.20 litre
 Cold Laid Patching Material - 62.65
 QPR 2000 Cold Lay Asphalt - 112.00 picked up
 113.40 delivered
- (c) Taro Aggregates, Hamilton
 Asphalt Binder Course HM5 (Limestone) - \$42.07
- (d) Norjohn Limited, Thorold
 Cationic Asphalt Emulsions CRS2 delivered - \$ 0.3028 litre
- (e) Permaquik Asphalt Tech Corp., Mississauga
 Crack Sealing Material - 775.00 tonne

NOTE: Sufficient funds have been provided in various Stock Inventory Accounts.

7. (a) That a purchase order be issued to Form and Build Supply Inc., Kitchener, in the amount of \$28 440.20 for the supply and delivery of Steel Forms for Sidewalks, Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's Tender.

NOTE: Inasmuch as these forms were required immediately, the above was processed through the emergency procedures of the City of Hamilton Purchasing Policy, and is being submitted at this time for formal Council approval.

Only tender received. Funds provided in Combined Walk & Curb, Sidewalk Special Projects Accounts CH56103 60144, CH56103 60142 and CH56103 60132.

8. That with respect to the land municipally known as part of 1477 Upper James Street, expropriated on September 25th, 1989 for municipal and highway purposes pursuant to Expropriation By-law 89-223 enacted on August 29th, 1989, the City Clerk be authorized and directed to:

(a) Sign and serve Notice in accordance with Section 41 of The Expropriation Act that possession of the expropriated land is required.

(b) Sign and serve Offers of Compensation in accordance with Section 25 of The Expropriations Act for the expropriated land as follows:

\$525 000.00	Former Owner:	Albert Boxinbaum, in trust
	Mortgagee:	National Trust Company Limited
\$ 1.00	Tenants:	Germaine Poliquin

9. That with respect to the vacant land expropriated on September 26th, 1989 for roadway and municipal purposes pursuant to Expropriation By-law 89-191 enacted on June 27th, 1989, the City Clerk be authorized and directed to:

(a) Sign and serve Notice in accordance with Section 41 of The Expropriation Act that possession of the expropriated land is required;

(b) Sign and serve Offers of Compensation in accordance with Section 25 of The Expropriations Act for the expropriated land as follows:

\$29 225.00	Former Owner:	S. Wise Construction Limited
\$ 1.00	Tenants:	Bruce Smith

10. That the Director of Property be authorized to negotiate the acquisition of a portion of land (part of Lot 16, Plan 823, comprising an area of approximately 2,310 square feet) from the owner of 144 Annabelle Street, which land is required for roadway purposes to implement the approved Gourley Neighbourhood Plan.

NOTE: The City will establish a 1' Reserve along the proposed roadway in order to recover its costs for land and services from the abutting developer.

The owner of the proposed subdivision, Mr. S. Aquino, has been unsuccessful in his attempts to acquire lands for roadway purposes from the owner of 144 Annabelle Street. The above recommendation is in accordance with the City's policy to assist developers to establish roadways to their subdivision and promote the development of land.

11. (a) That an Option to Purchase agreement dated November 30, 1989 duly executed by 839891 Ontario Inc. (Tony DiSilvestro) and scheduled to close on March 20, 1990 be approved and completed.
- (b) That the Vendor's Solicitor must prepare the necessary deeds and certify title to the City of Hamilton.
- (c) That upon completion of this transaction and the eventual establishment of Parts 11 and 12 (62R-10529) as Acadia Drive, the City will establish one foot reserves known as 18, 19, 20 and 21 - Plan 62R-10529 in order to recover the land servicing and construction costs of establishing Acadia Drive from the abutting lands.
- (d) That upon the registration of the Plan of Subdivision known as Aquino Gardens (File No. 25T88015) the City shall pass a by-law incorporating Parts 11 and 12 as a public road.

NOTE: The property is described as Parts 11, 12, 18, 19, 20, and 21 on Plan 62R-10529 and contains 426.73 square metres (4,593.43 square feet) being rear land on Stone Church Road East.

The purchase prices is \$2 and is to be charged to Account No. CH 5X303 00107 - (Reserves for Services through unsubdivided land).

12. (a) That an Option to Purchase agreement dated November 26, 1989, duly executed by Fausto Carnicelli, In Trust and scheduled to close on March 20, 1990, be approved and completed.
- (b) That the Vendor's Solicitor must prepare the necessary deeds and certify title to the City of Hamilton.
- (c) That upon completion of this transaction and the eventual establishment of Parts 4, 5 and 6, Plan 62R-10529 as Acadia Drive and Butler Drive, the City will establish one foot reserves known as Part 2, 3, 7, 8, and 9, Plan 62R-10529 in order to recover the land, servicing and construction costs of establishing Acadia Drive and Butler Drive from the abutting lands.

- (d) That upon the registration of the Plan of Subdivision known as Aquino Gardens (File No.25T88015), the City shall pass a by-law incorporating Parts 4, 5 and 6 as a public road.
- (e) The Purchaser acknowledges and agrees that the Vendor does not have registered title to the lands known as Part 2-9 inclusive on Plan 62R-10529, but is the Purchaser under an Agreement of Purchase and Sale dated October 7, 1989 with the William James Welsh Estate and an Agreement of Purchase and Sale dated October 23, 1989 with Jeanette Little and James Little.

The Purchaser further acknowledges and agrees that the Vendor herein will assign his interest in Parts 2-9 inclusive on Plan 62R-10529 to the Corporation of the City of Hamilton and direct the present owners of the lands described as Part 2-9 inclusive on Plan 62R-10529 to transfer title directly to the Corporation of the City of Hamilton.

Accordingly, this transaction shall be conditional upon the Vendor or the City successfully completing the transaction in accordance with the purchase agreements.

- (f) Upon completion of the above mentioned transaction, the City Solicitor shall be authorized to terminate the expropriation previously commenced.

NOTE: The property is described as Parts 2-9, Plan 62R-10529 being part of 564 and 570 Stone Church Road East and contains 1,271.29 square metres (13,648.49 square feet).

The purchase price is \$2 and is to be charged to Account No. CH5X303 00107 (Reserve for Services through unsubdivided land).

The subject lands are currently under expropriation by the City from the Welsh Estate and Little Family.

During the long process of expropriation, the developers of the adjoining subdivision Aquino Gardens, successfully negotiated a settlement to acquire the subject lands from Welsh and Little. They are assigning their interest in their agreement to the City.

Upon completion of these two transactions, the City can terminate the expropriations already in process.

- 13. (a) That an Option to Purchase Agreement dated December 19, 1989 executed by 839891 Ontario Inc. (Tony DiSilvestro) and scheduled for closing on April 10, 1990, be approved and completed.

- (b) That the Vendor's Solicitor must prepare the necessary deeds and certify title to the City of Hamilton.
- (c) That upon completion of this transaction and the eventual establishment of Parts 2 and 14 as Acadia Drive, the City will establish one foot reserves known as 1, 3, 13 and 15 on draft reference plan S-7329 (Mackay, Mackay & Peters Ltd.) in order to recover the land servicing and construction costs of establishing Acadia Drive from the abutting lands.
- (d) That when full municipal services are provided to the subject lands, the City agrees to incorporate the lands by by-law as a public road.

NOTE: The property is described as rear land on Stone Church Road East, Parts 1, 2, 3, 13, 14, and 15 on draft reference Plan S-7329 (Mackay, Mackay & Peters Ltd.) and contains 2,179.71 square metres (23,462.20 square feet).

The purchase price is \$2 and is to be charged to Account No.
CH 58303 00107 - (Reserve for Services through unsubdivided land).

- 14.
- (a) That an Option to Purchase Agreement dated December 19, 1989 executed by John Fortino and scheduled for closing on April 10, 1990, be approved and completed.
 - (b) That the Vendor's Solicitor must prepare the necessary deeds and certify title to the City of Hamilton.
 - (c) That upon completion of this transaction and the eventual establishment of Part 21 as Acadia Drive, the City will establish one foot reserves known as 20, 22 and 23 on draft reference plan S-7329 (Mackay, Mackay & Peters Ltd.) in order to recover the land servicing and construction costs of establishing Acadia Drive from the abutting lands.
 - (d) That when full municipal services are provided to the subject lands, the City agrees to incorporate the lands by by-law as a public road.

NOTE: The property is described as rear land on Stone Church Road East, Parts 20, 21, 22 and 23 on draft reference Plan S-7329 (Mackay, Mackay & Peters Ltd.) and contains 301.1 square metres (3,241 square feet).

The purchase price is \$2 and is to be charged to Account No.
CH 58303 00107 - (Reserve for Services through unsubdivided land).

15. (a) That an Option to Purchase Agreement dated December 19, 1989 executed by Fausto Carnicelli, In Trust and scheduled for closing on April 10, 1990, be approved and completed.
- (b) That the Vendor's Solicitor must prepare the necessary deeds and certify title to the City of Hamilton.
- (c) That upon completion of this transaction and the eventual establishment of Parts 8, 11, and 19 as Acadia Drive, the City will establish one foot reserves known as 7, 9, 10, 12, and 18 on draft reference plan S-7329 (Mackay, Mackay & Peters Ltd.) in order to recover the land servicing and construction costs of establishing Acadia Drive from the abutting lands.
- (d) That when full municipal services are provided to the subject lands, the City agrees to incorporate the lands by by-law as a public road.
- (e) The closing of this transaction is conditional upon the Vendor obtaining title to Parts 7,8, 9, 10, 11 and 12, Plan S-7329.

NOTE: The property is described as rear land on Stone Church Road East, Parts 7, 8, 9, 10, 11, 12, 18 and 19 on draft reference Plan S-7329 (Mackay, Mackay & Peters Ltd.) and contains 1,313.96 square metres (14,143.33 square feet).

The purchase price is \$2 and is to be charged to Account No. CH 58303 00107 - (Reserve for Services through unsubdivided land).

16. That the City Solicitor be authorized and directed to prepare a By-law to incorporate certain City lands into various Streets, etc. as described in Schedule "A", appended hereto, to be approved during the pleasure of Council.
17. (a) That the City of Hamilton transfer to the City of Stoney Creek that portion of the proposed Donn Avenue north of Queenston Road within the limits of Stoney Creek, being Parts 5 & 6 on Plan 62R-8380.
- (b) That the City of Stoney Creek be requested to pass a by-law to establish that portion of Donn Avenue north of Queenston Road within the limits of the City of Stoney Creek, being Parts 5 and 6 on Plan 62R-8380.
- (c) That the City of Hamilton be responsible for all costs associated with the construction and maintenance of that portion of Donn Avenue in the City of Stoney Creek.

- (d) That the City of Hamilton enter into an agreement with the City of Stoney Creek to the satisfaction of the City Solicitor regarding the construction, maintenance and indemnification requirements with respect to the portion of Donn Avenue in the City of Stoney Creek.

NOTE: The construction of Donn Avenue will provide access to Queenston Road for residents in the Riverdale East Neighbourhood.

18. That the Modified Subdivision Agreement, dated 89 January 10, between the City of Hamilton and Wellington Chase Inc. for lands on the east side of Wellington Street be amended by the addition of Schedule G1 providing for the acceptance of the existing services on Perthshire Court and completing the services.

NOTE: The proposed subdivision adds one Court, named Perthshire Court, to the City's street system over and above the items covered by the previous agreement.

19. (a) That the following changes be made in the maximum charges per metre of frontage relative to the 1990 Local Improvement Charges:

	<u>From</u>	<u>To</u>
i. Curb Only	\$ 64.00	\$ 67.00
ii. Sidewalks Only	\$ 80.00	\$ 84.00
iii. Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$131.00	\$137.00
iv. Roadway Only	\$221.00	\$231.00
v. Alleys	\$ 86.00	\$ 90.00
vi. Roadway and Curbs Only (Industrial Subdivisions)	\$300.00	\$314.00

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.

NOTE: The present local improvement rates were established by Council on January 31, 1989. The proposed 1990 rates reflect the increase in construction costs since the last rates were approved and also include a 4.5% allowance for inflation.

The new rates are intended for application to projects proposed to be carried out in 1990. The charge to the abutting owners will be the actual cost of the works or the maximum rate recommended by this report, whichever is less.

20. (a) That the submitted schedules for the estimated cost of services in Aquino Gardens - Phase 1, and Templemead No. 2 Survey - Phase 8, be adopted for inclusion in the respective Subdivision Agreements with the owners.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners.
- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-servicing.
- (e) That the additional funding for Clerico Court, Hamilton be approved.
- (f) That the City's share of the cost of services for these developments (\$166 430.21) be approved, and that the Finance and Administration Committee recommend the source of funding for these projects.

THE FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS
THAT THE CITY'S SHARE OF SERVICES IN THE GROSS AMOUNT
OF \$166 430.21 BE FINANCED FROM THE RESERVE FOR CITY'S
SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS. -CARRIED-

- (g) That the City subdivision agreements for "Aquino Gardens - Phase 1" and "Templemead No. 2 Survey - Phase 8", include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council Policy.
- (h) That the City accept title to those lands required for the southerly extension of Butler Drive, from the Roman Catholic Separate School Board. This land (described as Part 1 on a Plan numbered Y-21431 as prepared by J. David Peters, O.L.S.) is to be transferred to the City of Hamilton by its owner and the owner's solicitor is to prepare the necessary Deed and certify Title to the City.
- (i) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to establish Part 1, as shown on a Plan numbered Y-21431, as prepared by J. David Peters, O.L.S., as part of the Butler Drive road allowance following the transfer of the lands to the City.

- (j) That the City accept title to those lands and the 0.3 metre reserves required for the extension of Acadia Drive, from the owner, 839891 Ontario Inc. This land (described as Parts 11, 12, 18, 19, 20 and 21 on Reference Plan 62R-10529, is to be transferred to the City of Hamilton by its owner and the owner's solicitor is to prepare the necessary Deed(s) and certify Title to the City.
- (k) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to establish Parts 11 and 12, Reference Plan 62R-10529, as part of the Acadia Drive road allowance following the transfer of the lands to the City.

NOTE: Parts 18, 19, 20 and 21, Reference Plan 62R-10529 will be retained by the City as 0.3 metre reserves.

- (l) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to establish Part 1, Reference Plan 62R-8101, as part of the Acadia Drive road allowance.
- (m) That the City accept title to those lands and the 0.3 metre reserves required for the northerly extension of Butler Drive, the east-west extension of Butler Drive, the east-west extension of Acadia Drive from the owner. This land (described as Parts 2 to 9 (inclusive) on Reference Plan 62R-10529, is to be transferred to the City of Hamilton by its owner and the owner's solicitor is to prepare the necessary Deed(s) and certify Title to the City.
- (n) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to establish Parts 4, 5 and 6, Reference Plan 62R-10529, as part of the Acadia Drive Road Allowance and Butler Drive road allowance following the transfer of the lands to the City.

NOTE: Parts 2, 3, 7, 8 and 9, Reference Plan 62R-10529 will be retained by the City as 0.3 metre reserves.

- (o) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to establish Part 9, Reference Plan 62R-10568, as part of the Butler Drive road allowance.
- (p) That the Director of Property be authorized and directed to acquire Part 13, Reference Plan 62R-10568 and that the City Solicitor be authorized and directed to prepare the necessary By-law(s) to establish Part 13, Plan 62R-10568 and part of the Butler Drive road allowance following the transfer of the lands to the City.
- (q) That if the owner of "Aquino Gardens - Phase 1" wishes to proceed with the construction of services east of the Hydro right-of-way prior to the establishment of both Acadia Drive and Butler Drive as public road allowances, he may do so at his own risk.

- (r) That the City Solicitor be authorized and directed to prepare the necessary (By-law(s) to incorporate the remainder of the 0.3 metre reserves owned by the City at the west end of Butler Drive, into the Butler Drive road allowance after the plan of subdivision for "Aquino Gardens - Phase 1" has been registered.

21. (a) That the existing 1989 Charges per metric tonne of overload be amended for 1990 as follows:

<u>Type of vehicle</u>	<u>1989 charge</u>	<u>% Increase</u>	<u>1990 charge</u>
Tractor Trailer	\$116.00	4.5%	\$121.00
Single Unit Truck	\$196.00	4.5%	\$202.00

- (b) That the above fees be reviewed each year.

22. (a) That in accordance with By-law 89-72, Stelco Steel be given an Annual Overload Permit for the year 1990 for fifteen (15) tractor-trailers for a total fee of \$5 445; and

- (b) That 20% or \$1 089 be credited to City Account No. 44049-52006 (Overload Permit Fees) and that 80% or \$4 356 be credited to Regional Account No. 46025-301300.

23. (a) That in accordance with By-law 89-72, K's Transport Inc. be given an Annual Overload Permit for the year 1990 for nine (9) tractor-trailers for a total fee of \$11 217; and

- (b) That 11%, or \$1 234, be credited to City Account No. 44049-52006 (Overload Permit Fees), and that 89%, or \$9 983, be credited to Regional Account No. 46025-310300.

24. That the application for Inadvertent Encroachment Agreements as outlined on Schedule "B", appended hereto, be approved during the pleasure of Council provided:

- (a) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

- (b) That the Mayor, and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.

- (c) That a first year fee and a subsequent annual fee as determined in schedule "B" be set for this privilege.
- (d) That the encroachment at 208 Sherman Avenue North, granted by Council on November 14, 1989, in adopting Item 4 of the 18th report of the Committee, be rescinded.

NOTE: The previous approval with respect to 208 Sherman Avenue did not include a concrete stoop which has been included in this application.

- 25. That City Traffic By-law 89-72 be amended to provide for the following;
 - (a) That three-way stop control be implemented at the intersection of Royal Vista Drive and Eaglewood Drive; and
 - (b) That eastbound traffic on Presido Drive be required to stop for northbound and southbound traffic on Eaglewood; and
 - (c) That northbound traffic on Millen Avenue be required to stop for eastbound and westbound traffic on Empress Avenue; and
 - (d) That southbound traffic on Rosewell Avenue be required to stop for eastbound and westbound traffic on Robson Crescent; and
 - (e) That eastbound traffic on Goldengate Avenue be required to stop for northbound and southbound traffic on Templemead Drive; and
 - (f) That westbound traffic on the north and south legs of Loyalist Drive be required to stop for northbound and southbound traffic on Glen Echo Drive; and
 - (g) That northbound and southbound traffic on Glenhaven Court/Glenhaven Drive be required to stop for eastbound and westbound traffic on Greenshire Drive; and
 - (h) That a stop sign be erected to control eastbound traffic on Desantis Court at Charing Drive; and
 - (i) That a stop sign be erected to control southbound traffic on Sloan Avenue at Indian Crescent; and
- 26. That City Traffic By-law 89-72 be amended to provide for the following;
 - (a) i. That the existing alternate side parking regulation on Agnes Street between Argyle Avenue and Campbell Avenue be removed; and

- ii. That parking be prohibited on the east side of Agnes Street between Argyle and Campbell Avenue; and
- (b) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Mahoney Avenue between Parkdale Avenue North and Adeline Avenue; and
- (c) That a "No Parking, 9:00 a.m. - 5:00 p.m., Monday - Friday" regulation be implemented on the east side of Undercliffe Avenue between Aberdeen Avenue and Inglewood Drive; and
- (d)
 - i. That the existing alternate side parking regulation on Mars Avenue between Emerald Street North and Wentworth Street North be removed; and
 - ii. That parking be prohibited at all times on the north side and allowed at all times on the south side of Mars Avenue between Emerald Street North and Wentworth Street North; and
- (e) That parking be prohibited on the east side of Tyne Place from end to end; and
- (f) That parking be prohibited on the north side of Sunninghill Avenue between Rendell Boulevard and Upper Ottawa Street; and
- (g) That parking be prohibited between 10:00 a.m. and 2:00 p.m., Monday to Friday, on the west side of East 35th Street between Concession Street and the northerly limit; and
- (h) That a "No Parking, 9:00 a.m. - 4:00 p.m., Monday - Friday" regulation be implemented on the north side of Inglewood Drive between Bay Street South and Undercliffe Avenue; and
- (i) That a "One Hour Parking Time Limit, 7:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of East 32nd Street between Crockett and Munn Streets in combination with the existing "Alternate Side Parking" regulation.
- (j) That a three hour Time Limit 9:00 a.m. to 5:00 p.m., Monday to Friday regulation be implemented on the east side of Margaret Street from King to Main Streets.

27. That the application by 217394 Ontario Inc. (McIntyre Electric Ltd.), 232 Caroline Street South, to lease a portion of the boulevard of Caroline Street South be approved, provided that:
- (a) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100 per year) plus taxes, if any, in addition to the \$10 encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) The owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - (c) The owner pays a one time \$150 processing fee, as approved by the City Council on 1988 January 12.
 - (d) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
 - (e) The parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) The owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
28. (a) That the existing residential boulevard parking agreement between the City and Frank Murphy, registered as Instrument No. 289893 C.D. to the property at No. 132 Young Street be discharged, at the property owners expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
 - (c) That the City Treasurer be directed to revise the billing records accordingly.
29. (a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the east side of Ferguson Avenue commencing at a point 102 feet north of King William Street and extending to a point 47 feet northerly therefrom be relocated such that it commences at a point 53 feet north of King William Street and extends to a point 49 feet northerly therefrom; and
- (b) That City Traffic By-law 89-72 be amended accordingly.

30. (a) That a "No Stopping, Wheelchair Loading Only, 24 hours a day, 7 days a week" regulation be implemented on the north side of Homewood Avenue commencing at a point 350 feet east of Dundurn Street South and extending to a point 43 feet easterly therefrom; and
(b) That City Traffic By-law 89-72 be amended accordingly.
31. (a) That a "Permit Parking" regulation be implemented on the east side of Tiffany Street commencing 273 feet north of Barton Street West and extending to a point 24 feet northerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. B. Falletta, 28 Tiffany Street; and
(c) That City Traffic By-law 89-72 be amended accordingly.
32. (a) That a "Permit Parking" regulation be implemented on the south side of Herkimer Street commencing at a point 643 feet west of Locke Street South and extending to a point 23 feet westerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Stan Thompson, 337 Herkimer Street; and
(c) That City Traffic By-law 89-72 be amended accordingly.
33. (a) That parking be prohibited on the north side of Mackenzie Road between East 27th Street and a point 135 feet easterly therefrom; and
(b) That City Traffic By-law 89-72 be amended accordingly.
34. (a) That northbound motorists in the east curb lane of Locke Street South be required to turn right onto Main Street West; and
(b) That City Traffic By-law 89-72 be amended accordingly.
35. (a) That a School Bus Loading Zone be implemented on the east side of Macklin Street, commencing at a point 442 feet north of Dufferin Street and extending to a point 280 feet northerly therefrom; and
(b) That a School Bus Loading Zone be implemented on the east side of Macklin commencing at a point 805 feet north of Dufferin and extending to a point 160 feet northerly therefrom; and

- (c) That City Traffic By-law 89-72 be amended accordingly.
36. That the Director of Traffic Services be authorized to issue, upon request one time limit exemption permit to Mr. Dave Maida, 90 Duke Street, Apt. #1708.
37. (a) That the five 30 minute meters on MacNab Street North between Cannon Street and Vine Street be increased to a one hour duration; and
- (b) That City Traffic By-law 89-72 be amended accordingly.
38. (a) That the limits of the northbound one-way operation of Breadalbane Street between King Street West and Hunt Street be revised such that the one-way operation extends from Hunt Street to a point 164 feet south; and
- (b) That the hours of the northbound one-way operation be revised from full-time to between the hours of 4:00 p.m. and 6:00 p.m., Monday to Friday only; and
- (c) That City Traffic By-law 89-72 be amended accordingly.
39. That the Chairman or his designate be authorized to attend the Ontario Traffic Conference on May 6-9, 1990 in Cornwall, Ontario.
40. That the Hamilton Civic Hospital's Board of Directors be requested to undertake a review of the parking requirements for the employees and visitors of the Hamilton Henderson Hospital on Concession Street with a view to providing adequate parking facilities so as to reduce the excessive parking on residential streets in the area of the Hospital.
41. That leave be granted to introduce the following Bills:
- (a) B-1 By-law to Incorporate Block 44, Plan 62M-614 into Ossington Drive
 - (b) B-2 By-law to Incorporate Block 45, Plan 62M-614 into Broughton Drive
 - (c) B-3 By-law to close and to authorize the sale of Raeburn Road, designated as Parts 22, 23, 24 and 25, Plan 62R-8933
 - (d) B-4 By-law to Incorporate Part 2, Plan 62R-9553 into Rita Avenue

- (e) B-5 By-law to Incorporate Part 20, Plan 62R-6257 into Quaker Crescent
- (f) B-6 By-law to Incorporate Part 19, Plan 62R-6257 into Queen Victoria Drive
- (g) B-7 By-law to Incorporate Block 80, Plan 62M-628 into Republic Avenue
- (h) B-8 By-law to close and to authorize the sale of the public Walkway, from Upper James Street to Allison Crescent, Part 1, Plan 62R-5020
- (i) B-9 By-law to establish and open the Alley North of King Street East from Wellington Street easterly to west limit of the first north/south Alley designated as Part 1, Plan 62R-10875
- (j) B-10 By-law to Amend By-law No. 89-72 To Regulate Traffic
- (k) B-11 By-law to Amend By-law No. 89-72 To Regulate Traffic.

RESPECTFULLY SUBMITTED,

J. J. Schatz,
Acting Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1990 January 22

/lp

SCHEDULE "A"

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason For being Incorporated</u>	<u>File No.</u>
Rockview Avenue	Block 42, Plan 62M-495	NIL	To connect and provide access between plans 62M-495 & 62M-632	S701-39 S701-61
Rexford Drive	Block 56 Plan 62M-384	NIL	To connect and provide access to Plan 62M-384 & Part 6 Plan 62R-10808 (also to be est'd by By-Law see paragraph below)	S718-15
Rexford Drive	Parts 4 and 6 Plan 62R-10808	NIL	To connect & provide access between plans 62M-384 and 62R-583	S718-15 S708-53
Atherley Drive	Part 2 Plan 62R-10808	NIL	To connect & provide access between Upper Sherman and Rexford Drive & Plan 62M-583	S708-53

SCHEDULE "A"

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason For being Incorporated</u>	<u>File No.</u>
Firenze Street	Block "5", Plan M-224	Nil	To connect and provide access between Plans M-224 & 62M-348	S703-09 S701-27
Rexford Drive	Pt. Block "AX", Plan M-200 (being Part 6, Plan 62R-7170)	Nil	To provide access to Rexford Drive from lands at rear of #1296 Upper Gage Avenue	S718-06
Merrilee Crescent	Block 26, Plan 62M-562	Nil	To connect and provide access between Plans 62M-562 and 62M-574	S701-34 S701-35
Queen Victoria Drive	Parts 12 and 15, Plan 62R-6257	Nil	To provide access to and from the lands abutting to the east	S610-01
Balfour Drive	Block 28, Plan M-316	Nil	To provide access to and from the property known as "Chedoke" owned by the Ontario Heritage Foundation	S610-01 S610-03

SCHEDULE "B"

City Council Date: January 30, 1990.

<u>Address/Location</u>	<u>Type of Encroachment</u>	<u>Owner</u>	<u>Solicitor/Agent Address</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
25 Minto Avenue/ Bristol Street	Building 10.0' X 0.5' Steps 3.0' X 3.0'	Nicolas Vetro	Markowitz and Schipper Barristers and Solicitors 25 Watline Avenue Suite 500 Mississauga, Ontario. L4Z 2Z1 Att: Mr. E. Roll	\$105.00 - \$20.00	T103-50(762)
71 Mayflower Avenue	Steps 1.22m X 0.88m	Mr. Angelo Sollazzo Mrs. Christina Sollazzo	Murray R. Mazza Barristers and Solicitors Suite 202 115 Highway #8 Stoney Creek, Ontario L8G 1C1 Att: Mr. M. Mazza	\$105.00 - \$20.00	T103-50(767)
300 Grosvenor Ave. N./ Grosvenor Avenue	Wood Steps 1.52m X 0.21m	Mr. & Mrs. Frank Hayes	Ross and McBride Barristers and Solicitors 10th-11th Floors Commerce Place 1 King Street West P.O. Box 907 Hamilton, Ontario. L8N 3P6 Att: Mr. P. Tice	\$105.00 - \$20.00	T103-50(774)
60-62 Guise Street	Steps 3.5' wide Steps 3.5' X 0.5'	Marina Bay Development Corporation	Burns, Vasan, Christmas, McLeod, Cimba Barristers and Solicitors Stelco Tower P.O. Box 987 Suite 1200 100 King Street West Hamilton, Ontario. L8N 4B7 Att: Mr. J. Cimba	\$105.00 - \$20.00	T103-50(776)

- 1895-

Referred to in Section 24
of the First Report of the
Transport & Environment
Committee

01/30/90

-1896-

SCHEDULE "B"

<u>Address/Location</u>	<u>Type of Encroachment</u>	<u>Owner</u>	<u>Solicitor/Agent Address</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
144 Grant Avenue	Frame Veranda and Step 1.62m X 8.25m	Sinonfo Sousa Mike Medeiros Sousa 126 McNab Street South Hamilton, Ontario L8P 5C3	J. Jeffrey Steadman Barrister and Solicitor	\$105.00 - \$20.00	T103-50(751)
208 Sherman Ave. North	Steps 6.42' X 5.23' Conc. Wall (3) 6.93' X 6.58' 6.28' X 8.51' 6.35' X 10.45" Conc. Stoop 0.40' X 3.1'	Mr. Gaetano D'Alessio Mr. Carlo D'Alessio	Rosenblood, Renaud, Spitale Barristers and Solicitors 20 Hughson Street South Suite 1008 Hamilton, Ontario L8N 2A1 Att: Mr. C. Spitale	\$26.00 - \$20.00	T103-50(765)
69 Eastbend Avenue	Concrete Porch 3.14' X 10.0' Concrete Steps 0.60' X 6.1'	Mr. K. Baird Mr. R. Brewer	Simpson and Watson Barristers and Solicitors 950 King Street West Hamilton, Ontario. L8S 1K8	\$105.00 - \$20.00	T103-50(815)
31 Simcoe Street West	Steps 2.83' X 3.20'	Patrick & Betty Hugette	Charles S. Scime Barrister and Solicitor 117 Hunter Street East Hamilton, Ontario. L8N 1M5	\$105.00 - \$20.00	T103-50(841)
107 Shaw Street	Building Wall 21.90' X 0.52'	Leo and Joan Crowley	Legge and Legge Barristers and Solicitors 60 St. Clair Avenue East Toronto, Ontario. M4T 1M5	\$105.00 - \$20.00	T103-50(827)
617 Upper Wellington Street	Building Wall 0.13' X 0.51'	Layton Morrison	Cass and Bishop Barristers and Solicitors 720 Guelph Line Suite 303 Burlington, Ontario L7R 4E2	\$105.00 - \$20.00	T103-50(818)
11 Macaulay Street West	Steps 4.0' X 0.46'	Eduardo and Maria Barbosa	Borkovich and Ingrassia Barristers and Solicitors 1 Main Street East Hamilton, Ontario. L8N 1E7	\$105.00 - \$20.00	T103-50(816)

SCHEDULE "B"

City Council Date: January 30, 1990.

<u>Address/Location</u>	<u>Type of Encroachment</u>	<u>Owner</u>	<u>Solicitor/Agent Address</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
144 Grant Avenue	Frame Veranda and Step 1.62m X 8.25m	Sinonfo Sousa Mike Medeiros Sousa 126 McNab Street South Hamilton, Ontario L8P 5C3	J. Jeffrey Steadman Barrister and Solicitor	\$105.00 - \$20.00	T103-50(751)
208 Sherman Ave. North	Steps 6.42' X 5.23' Conc. Wall (3) 6.93' X 6.58' 6.28' X 8.51' 6.35' X 10.45" Conc. Stoop 0.40' X 3.1'	Mr. Gaetano D'Alessio Mr. Carlo D'Alessio	Rosenblood, Renaud, Spitale Barristers and Solicitors 20 Hughson Street South Suite 1008 Hamilton, Ontario L8N 2A1 Att: Mr. C. Spitale	\$26.00 - \$20.00	T103-50(765)
69 Eastbend Avenue	Concrete Porch 3.14' X 10.0' Concrete Steps 0.60' X 6.1'	Mr. K. Baird Mr. R. Brewer	Simpson and Watson Barristers and Solicitors 950 King Street West Hamilton, Ontario. L8S 1K8	\$105.00 - \$20.00	T103-50(815)
31 Simcoe Street West	Steps 2.83' X 3.20'	Patrick & Betty Hugette	Charles S. Scime Barrister and Solicitor 117 Hunter Street East Hamilton, Ontario. L8N 1N5	\$105.00 - \$20.00	T103-50(841)
107 Shaw Street	Building Wall 21.90' X 0.52'	Leo and Joan Crowley	Legge and Legge Barristers and Solicitors 60 St. Clair Avenue East Toronto, Ontario. M4T 1N5	\$105.00 - \$20.00	T103-50(827)
617 Upper Wellington Street	Building Wall 0.13' X 0.51'	Layton Morrison	Cass and Bishop Barristers and Solicitors 720 Guelph Line Suite 303 Burlington, Ontario L7R 4E2	\$105.00 - \$20.00	T103-50(818)
11 Macaulay Street West	Steps 4.0' X 0.46'	Edwardo and Maria Barbosa	Borkovich and Ingrassia Barristers and Solicitors 1 Main Street East Hamilton, Ontario. L8N 1E7	\$105.00 - \$20.00	T103-50(816)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FIRST Report for 1990 and respectfully recommends:

1. That a purchase order be issued to J. C. Millen Construction Company, Markham, in the amount of \$18 645 to fabricate and install a 64 Unit Niche at the Cemetery Columbarium, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest acceptable of four (4) quotations received. Funds provided in Improvements Ground Repair Account No. CH57200 63135.

2. That the City exercise its option to extend the existing agreement for Food Concessions, Mountain Arena with H.R. Day Catering Ltd., for an additional two one year terms to expire 1991 August 31 originally approved by City Council on 1986 November 11 for a three year term.

NOTE: The amount to be paid 1989 September 1, to 1990 August 31, - \$12 500; 1990 September 1 to 1991 August 31, - \$15 000.

3. (a) That a purchase order be issued to Wayne Electric Co. Ltd., Carlisle, in the amount of \$56 446 to supply and install floodlighting, Baseball Diamond #1, Globe Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Since O.M.B. approval has been received, and a Ministry of Tourism and Recreation grant, in the amount of \$46 666, will be forfeited if this additional work is not completed and paid for by 1990 January 30, the above purchase order has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest of two (2) tenders received. Funds provided in Floodlighting, Globe Park Account No. CH56398 62910.

4. That the City formally request The Hamilton Board of Education to delay the disposal of their property at 12 Spruceside Avenue and 13 Mapleside Avenue for a period of two (2) years and continue to lease the land to the City of Hamilton for a nominal sum for parks purposes.

NOTE: In 1989 July, the Board of Education advised that the subject parcel of land was surplus to their requirements. The property has been leased by the City of Hamilton for many years for a nominal sum and utilized for parks purposes. The site is improved with benches and playground equipment.

The Parks Staff Advisory Committee discussed the availability of this property and recommended the purchase for parks purposes inasmuch as it has been utilized for many years as a park, albeit on a lease basis, it would complement other park lands already owned by the City in this neighbourhood and it would implement the secondary neighbourhood plan approved by City Council which calls for a park land usage of the site.

The recommendation to request the Board of Education to defer the sale of the land for two (2) years and continue to lease same to the City for Parks purposes, would allow the City sufficient time to evaluate the acquisition of the site in conjunction with an evaluation of all other capital expenditures contemplated by the City.

For the information of the members of City Council, the Parks and Recreation Committee tabled a recommendation to consider the acquisition of this property within the overall Capital Budget process, pending a report from the Director of Property on the priority level in which this acquisition is allocated.

5. (a) That the City Solicitor be authorized and directed to prepare a lease renewal agreement in favour of Scott-MacDonald Limited for the use of municipal lands in the area of Picton Street West, consisting of 4.4934 acres of land and water designated as Part 4 on a Plan of Expropriation registered as Instrument No. 280084 CD in the Land Registry Office for the Registry Division of Wentworth.
- (b) That the term of the lease be one year commencing 1989 December 1, and the monthly rental be \$1 200 with the Lessee Scott-MacDonald Limited to pay all operating costs and business and realty taxes: (taxes were \$4 825 in 1989).

NOTE: On 1987 February 10, City Council adopted Section 1 of the Third Report of the Parks and Recreation Committee approving the tenancy of Scott-MacDonald Limited on the City lands that were expropriated from Samuel and Sheridan Lax to allow a continuation of the established Marina operations on the site.

The Waterfront Project Co-ordinator has advised that a one year extension of the lease would be appropriate and not interfere or complicate the implementation of the Master Waterfront Plan. All rent, realty and business taxes pursuant to the previous lease have been paid in full, and all other terms and conditions have been met.

The revenue generated by this lease is to be credited to account #CF 4502 708450001 - "Parkland Acquisition Lax Property".

6.
 - (a) That the Corporation of the City of Hamilton enter into a 10 year licence agreement with Ontario Hydro for the use of Hydro land (Parts 1, 2 & 3, 62R-10417) located on the west side of Birch Avenue between Barton Street and Princess Street for park and recreational purposes for \$1 per year, as of 1990 May 30,
 - (b) That all park maintenance and subsequent costs during the term of the agreement be assumed by the City of Hamilton.
 - (c) That the City Solicitor finalize the licence agreement with Ontario Hydro.

NOTE: In 1987 October, City Council approved Ontario Hydro's offer to landscape the Hydro Right-of-way, entirely at their expense, in exchange for the City of Hamilton assuming annual ground maintenance costs.

This work was undertaken by Ontario Hydro and completed to the satisfaction of the Parks Division, Public Works Department in 1988 May.

Previously this area of the Hydro Right-of-way was flat and gravelled so cars were constantly being parked in the area. As well, debris and even abandoned vehicles were being left requiring repeated calls for Ontario Hydro to clean up the area and remove the debris.

With the landscaping of this area, the opportunity to park and/or abandon vehicles has been eliminated. As well, the landscaping has enhanced the appearance of the area.

7. That funds for bikeways within the Capital Budget be retitled: "Bikeways-Playscapes" in order to provide the facilities needed for centralized bikepaths and skateboard trails.

NOTE: The planned east-west mountain and city commuter bike routes are to be completed in the spring of 1990 and will link the City limits using appropriate City roadways and parkways.

Upcoming bikeways will be dedicated to pleasure and training trails. These area will focus on the local BMX youth cyclist and the skateboarder.

Suitable sites for the first pilot projects have been Parkdale Park, Inch Park and Eastwood. These sites are available for daily monitoring and inspection by staff.

Each area will be approximately 100 meters by 8 meters with a configuration suitable for safe but interesting use.

Three skateboarding petitions have been received over the past six months indicating a strong base of support for such a venture. Users will be involved in the planning.

8. That the Director of Culture and Recreation be authorized to pursue the invitation from the Council of Uzhgorod, U.S.S.R., to enter a Hamilton team to participate in the School Children's International Sport Games (1990 June 30 - July 3) and to develop a cultural exchange program to compliment the activities planned in Uzhgorod, subject to support from the Government of Canada and the private sector.

NOTE: Although all hosting costs will be the responsibility of the delegation, the outside limits of this commitment will be \$40,000., with municipal funding not to exceed \$14,000.

Hamilton delegates travelled to the U.S.S.R. as part of the National Fit-Trek exchange program in November. Uzhgorod delegates and media team travelled to Hamilton in a reciprocal arrangement.

Uzhgorod will host the School Children's International Sport Games with activities for boys and girls 14 and under in Track and Field (8), Swimming (8), Tennis (4), Table Tennis (4). Complimentary activities will include, but not be limited to music, art, chess, literary and languages.

Hamilton is the only Canadian City invited to participate in a mid-range athletic level games which primarily includes the Soviet republic and eastern-block participants.

A complete (four-part) report entitled "Glasnost-Fizkultura: The Openness beyond Physical Culture" was made available to members of the Parks and Recreation Committee, and additional copies can be obtained from the Committee Secretary.

9. That approval be given to provide supervised programs of Winterfest to permit sled dog races, sleigh rides and large events at Chedoke and Kings Forest Winter Sports Park.

NOTE: These events require annual approval by City Council for liability and by-law inclusion.

The full program of Winterfest will include over 25,000 persons. The combined Winterfest/Fit-Trek Program will involve more than double that figure.

10. (a) That a pilot project, recognizing tobogganing, be pursued at each of the Winter Sports Parks subject to the reasonable safety precautions.
- (b) That the Director of Public Works, the Director of Culture and Recreation, and the City Solicitor pursue implementing and monitoring these toboggan runs, undertaking all reasonable safety precautions.
- (c) That a report detailing what steps are necessary to permit tobogganing at specific locations in City parks be prepared by the Director of Public Works, the Director of Culture and Recreation, and the City Solicitor at the end of this Winter (1989-90).

NOTE: By-law No. 87-155 prohibits tobogganing in City parks. Amendments to this by-law can be approved by City Council. Relief from the by-law for pilot projects can be authorized by Committee and Council. Recognizing that tobogganing is carried on in City parks, it is reasonable to look at designating some areas where this activity can be carried on.

Daily monitoring of ice build-up will be made. Present enforcement is extremely limited. A detailed follow-up report will be provided for the March 6 meeting of the Parks and Recreation Committee.

11. That the Concession Agreement for Chedoke Golf and Ski Clubhouse operations in the name of J.L.K. Kiriakopoulos Brothers Limited be transferred in the name of J.A. Enterprises - principle John Kiriakopoulos, as per their request.

12. For the information of the members of the Parks and Recreation Committee, the following appointments have been made to the Hamilton Veterans' Committee for a term to expire 1991 November 30:

Alderman William McCulloch
Mr. J. Michael Roach
Mr. Frank Caldwell
Mr. Jack McFarland
Mr. Lloyd Shephard

NOTE: The Terms of Reference for the Hamilton Veterans' Committee state that the Sub-Committee shall consist of one Member of City Council (Alderman McCulloch); the current President of the United Council of Veterans (Mr. Jack McFarland); a Veteran elected at large by the United Council of Veterans (Mr. Mike Roach); a current President of a recognized Hamilton Veterans Club (Mr. Frank Caldwell); and two war veterans recommended by Veterans holding the previously mentioned appointment. The Committee appoints Mr. Lloyd Shepard and will make a second appointment at a later date.

13. That the Chairman or his designate be authorized to attend the 34th Annual Ontario Parks Association Educational Seminar on 1990 March 7, 8, and 9, in Toronto, Ontario (Humbar College).
14. That leave be granted to introduce the following Bill:
- (a) Bill C-1: Amendment to Cemeteries By-law No. 8861 - Revises Tariff of Charges

RESPECTFULLY SUBMITTED,

Susan K. Reeder,
Acting Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1990 January 23

/lp

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its FIRST Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 1830 Main Street East
 - (b) 1626 Upper Gage
 - (c) 148 Annabelle Street
 - (d) 2644 King Street East
2. That a repayable loan, in the amount of nine thousand, six hundred and seventy-four dollars (\$9,674.) be approved under the Commercial Facade Loan Programme for 355 Barton Street East, Ms. C. Rodriguez. The interest rate will be 6 3/4 percent, amortized over 10 years.
3. That a repayable loan under the Commercial Facade Loan Programme, in the amount of thirty thousand dollars (\$30,000.) be approved for 403-405 Barton Street East, Angela Agostino. The Interest rate will be 6 3/4 percent, amortized over 10 years.
4. That a repayable loan under the Commercial Facade Loan Programme, in the amount of nine thousand, four hundred and twenty-four dollars (\$9,424.) be approved for 361 Barton Street East, Mr. Adao Dacunha. The interest rate will be 6 3/4 percent, amortized over 10 years.

NOTE: A loan in the amount of eight thousand, seven hundred and seventy-four dollars (\$8,774.) was previously approved 1989 May. This new loan amount represents an increase based on extra work required.

5. That an Option to Purchase the property at 401 Sherman Avenue North duly executed by Peter Spitman on 1989 November 30 and scheduled to close on or before 1990 February 26 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 7.702 metres (25.27 feet) by a depth of 34.73 metres (114 feet), containing an area of 253.6 square metres (2,729.8 square feet) more particularly shown as Part 5 and Part 6 on Plan 62R-10267 together with all structures erected thereon. The purchase price of \$165,650. and all costs and associated expenses to be charged to Account #CF 5590 308750001. Demolition is to take place upon closing.

6. That authorization be given to pay the account of Stuart Fletcher Excavating Limited in the amount of \$19,610. for the payment of grading costs relating to the sale of the south half, Part 1, 62R-8770, Upper Ottawa Street, and charge same to account CH 5X307 00102.
7. That the City of Hamilton accept the sum of \$26,400. as cash payment in lieu of 5% dedication in connection with "Aquino Gardens - Phase 1", Hamilton, this being the cash requirement under section 50 of the Planning Act.

NOTE: These lands are located east of Upper Wentworth Street and south of Stone Church Road in the Butler Neighbourhood, Hamilton.

8. (a) That approval be given to subdivision application SA-89-14, "Beaverton Drive", Salci Developments Inc. owner, to establish a draft plan of subdivision located at the south side of Beaverton Drive and west of Upper Sherman Avenue in the Butler Neighbourhood, subject to the following conditions:
 - (i) That this approval apply to the plan prepared by MacKay, MacKay and Peters Limited, dated 1989 June 27.
 - (ii) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (iii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (iv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 - (vi) That the owner acquire the 0.3 m reserve on the north side of Beaverton Drive and on the east side of Acadia Drive from the City of Hamilton.
 - (vii) That the plan not receive final approval prior to the availability of storm and sanitary sewers.
 - (viii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-89-14), Salci Developments Inc., owner, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal service has been approved by City Council.
- 9.
- (a) That approval be given to the "Intent to Designate" the five-unit rowhouse at 219 - 227 Ferguson Avenue South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation, attached herewith and marked Appendix "A".
 - (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
10. That approval be given to City Initiative 89-C for a modification to the "C" (Urban Protected Residential, etc.) District regulations, to establish the location of the "rear lot line", for the properties located at 71, 75, 79, 83, 87, 91, 95, 99, and 103 Britten Close, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) For the purposes of this by-law, the rear lot line shall be the boundary line along Garth Street.
 - (ii) That no vehicular access shall be permitted from Garth Street.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1153, and that the subject lands on Zoning District Map W-17A be notated S-1153;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17A for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The Purpose of this by-law is to provide for a modification to the "C" (Urban Protected Residential, etc.) District regulations for the properties located at 71, 75, 79, 83, 87, 91, 95, 99, and 103 Britten Close.

The effect of the By-law is to exempt the subject properties from the "through-lot" provisions of Zoning By-law No. 6593, by establishing the property lines adjoining Garth Street as the "rear lot line". In addition, vehicular access from Garth Street will be prohibited.

11. That approval be given to Zoning Application 89-92, Mrs. Siga Erickson, prospective owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to create three single-family dwelling lots for property located at 302 Stone Church Road West, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at 302 Stone Church Road West.

The effect of the proposed change in zoning is to sever the subject land into three building lots for single-family detached dwellings.

12. (A) That amended Zoning Application 89-88, 712191 Ontario Ltd. (G. Valko), Owner, requesting a modification to the "M-12" (Prestige Industrial) District regulations, to permit a gas bar and a lube shop for the property located at 1050 Rymal Road East, as shown on the attached map marked as Appendix "D", be DENIED in part, for the following reasons:

- (a) The gas bar is considered as a commercial use which is more appropriately located in the "M-11" zone which permits a broad range of commercial uses;
- (b) There is an adequate supply of suitably zoned land along Rymal Road East to accommodate the proposed gas bar use; and,
- (c) Approval of the application may encourage other similar type applications which, if approved, would undermine the intent of the Prestige Industrial Zoning Districts.

- (B) That approval be given to a further amended Zoning Application 89-88, 712191 Ontario Ltd. (G. Valko), owner, requesting a modification to the "M-12" (Prestige Industrial) District regulations, to permit a lube shop, for the property located at 1050 Rymal Road East, as

shown on the attached map marked as appendix "D", on the following basis:

- (a) That the "M-12" (Prestige Industrial) District regulations, as contained in Section 17D of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 17(D)(1)(b), the following additional commercial use shall be permitted:

<u>Commercial Use</u>	<u>S.I.C. Number</u>
Gasoline Service Station, restricted to	6331

- 1. Lubrication services, motor vehicles.

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1154, and that the subject lands on Zoning District Map E-49E be notated S-1154;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to "M-12" (Prestige Industrial) District regulations for the property located at 1050 Rymal Road East.

The effect of the By-law is to permit a lube shop in conjunction with a proposed car wash.

- 13. (a) That approval be given to Official Plan Amendment No. 84 to redesignate the subject lands from "Residential" to "Commercial", and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application 89-94, J. and E. Spenuk, owners, for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, for property located at 820 Rymal Road East, as shown on the attached map marked as Appendix "E" on the following basis:
 - (i) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;

- (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38D and E-38E for presentation to City Council;
 - (iii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 84 by the Regional Municipality of Hamilton-Wentworth; and,
 - (iv) That the Broughton West Neighbourhood Plan be amended by redesignating the subject lands from "Single" to "Double" residential to "Commercial".
- (c) That final approval of the amending by-law is subject to the applicants negotiating a satisfactory resolution respecting the disposition of the adjoining remnant parcel of land to the south with the owner.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 820 Rymal Road East.

The effect of the By-law is to permit a commercial shopping plaza to be constructed on the site.

14. (a) That approval be given to Official Plan Amendment No. 83 to redesignate the subject lands from "Industrial" to "Commercial", to delete the lands from Special Policy Area 11 and to establish a new Special Policy Area to limit the types of Commercial uses, and that the City Solicitor be directed to prepare a by-law for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to an amended Zoning Application 89-38, Landawn Shopping Centres (National) Limited, prospective owner, requesting a change in zoning from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District modified, to permit the construction of a one storey, 9,950 m² shopping centre (i.e. Home Design Centre), for the lands located south of the C.N.R. Railway Tracks, east of Centennial Parkway North, as shown on the attached map marked as Appendix "F", on the following basis:
- (i) That the subject lands be rezoned from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District;
 - (ii) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (1) That notwithstanding Section 14A(1), only the following uses shall be permitted:

Residential

- (a) Hotel

Commercial

- (b) Gas Bar;
- (c) Building Supply Store (Lumber Yard);
- (d) Sporting Goods Store;
- (e) Offices;
- (f) Bowling alley;
- (g) Billiard hall;
- (h) Cinema (movie theatre);
- (i) Restaurant provided it is non-fast food, there is no drive-thru facility, and it is not free standing;
- (j) Bank;
- (k) Shoe Repair Shop;
- (l) Barbershop, hairdressing establishment or beauty parlour;
- (m) A store for the sale of tobacco products, newspapers and magazines; and
- (n) Signs in accordance with the "HH" District provisions.

- (2) That notwithstanding Section 14A(1), the following uses shall be permitted in addition to the uses listed in Subsection 2(ii)a) above:

<u>Commercial Uses</u>	<u>S.I.C. Identification</u>
(a) Household Furniture Stores (With Appliances and Furnishings)	6211
(b) Household Furniture Stores (Without Appliances and Furnishings)	6212
(c) Appliance, Television, Radio and Stereo Stores	6221
(d) Television, Radio and Stereo Stores	6222
(e) Floor Covering Stores	6231
(f) Drapery Stores	6232
(g) Other Household Furnishings Stores	6239

- (h) Lawn and Garden Centres 6522
 - (i) Hardware Stores 6531
 - (j) Paint, Glass and Wallpaper Stores 6532
- (3) That notwithstanding Section 14A, outside storage use in conjunction with a permitted use shall be permitted subject to the following:
- (a) A visual barrier not less than 1.5 m and not more than 2.0 m in height shall be provided and maintained along the westerly boundary and 20 m along the southerly boundary contiguous to the westerly boundary.
 - (b) The total area of the outside storage shall not exceed 15% of the total lot area.
- (4) That a minimum 3.0 m wide landscape strip shall be provided and maintained along the lot line adjoining Centennial Parkway, except for any area used for access driveway(s).
- (5) That a chain-link fence not less than 1.8 m in height shall be provided and maintained along the northerly property line.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1155, and that the subject lands on Zoning District Map E-113 be notated S-1155;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-113 for presentation to City Council;
- (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 83 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The Purpose of the by-law is to provide for a change in zoning from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District, for the lands located south of the C.N. Railway tracks, east of Centennial Parkway North.

The effect of the By-law is to permit the construction of a one storey, 9,950 m², shopping centre (i.e. Home Design Centre) containing one or more of the following uses as previously noted.

In addition, the By-law provides for the following variances as special requirements:

- (a) to permit an outside storage area in conjunction with a permitted use, provided the total outside storage area shall not exceed 15% of the total lot area;
- (b) to require a visual barrier between 1.5 m to 3.0 m in height along the westerly boundary and 20 m of the southerly boundary of the storage area;
- (c) to provide and maintain a minimum 3.0 m wide landscape strip along the lot line adjoining Centennial Parkway, except for any area used for an access driveway(s); and
- (d) to provide and maintain a chain-link fence not less than 1.8 m in height along the northerly lot line adjacent to the Canadian National Railway Line.

Respectfully submitted,

Alderman J. Smith, Chairman
Planning and Development Committee

Susan K. Reeder
Secretary
1989 December 13

REASONS FOR DESIGNATION

219 - 227 Ferguson Avenue South

Context

Built in 1894, this five-unit residential terrace in the Corktown neighbourhood is situated on the east side of Ferguson Avenue South at the corner of Charlton Avenue East. It forms part of a continuous streetscape of late nineteenth and early twentieth century buildings, including several rowhouses, which extends north to the railway yards and west along the north side of Forest Avenue bordering the grounds of Queen Victoria Public School. Directly south of the terrace is the former high level pumping station erected in 1912 at the foot of the Escarpment.

Architectural Value

219-227 Ferguson Avenue South represents the finest surviving example of a High Victorian brick terrace in Corktown, notable not only for the quality of its overall design and detailing but also for the extent to which its original appearance has been preserved. Typical in design of late nineteenth century rowhousing in Hamilton, each unit features a side entrance, parapet partition walls, a square bay, and a steep-pitched roof with a tall gable over the bay. A particularly distinctive element is the gable bargeboard which forms a decorative arch over the semi-circular attic window. Also noteworthy are the bracketed cornice over the round arched bay windows, the stained glass transom lights over three of the four windows and the front doorway, the ornamental brick mouldings, and in the case of the two end units (#219 and #227), the original panelled wooden door with its tall, arched glazed upper panels. The decorative wooden porches over all five front entrances were recently removed.

History and Historical Associations

The original owner, John Lindner, retained possession of the terrace for less than a year, selling it in 1894 to William Edgar, who in turn sold it in 1895 to investor William Sparrow of Buffalo, New York. In the course of the early 20th century the rowhouse was subdivided among individual owners, several of whom were associated with well-known Hamilton businesses.

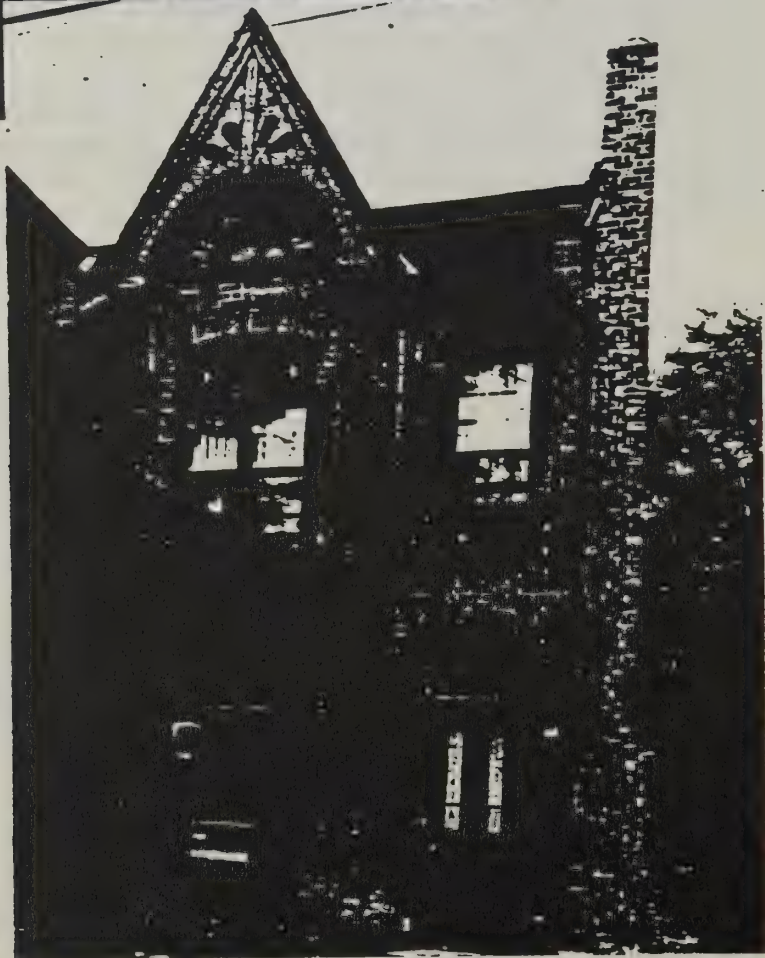
Designated Features

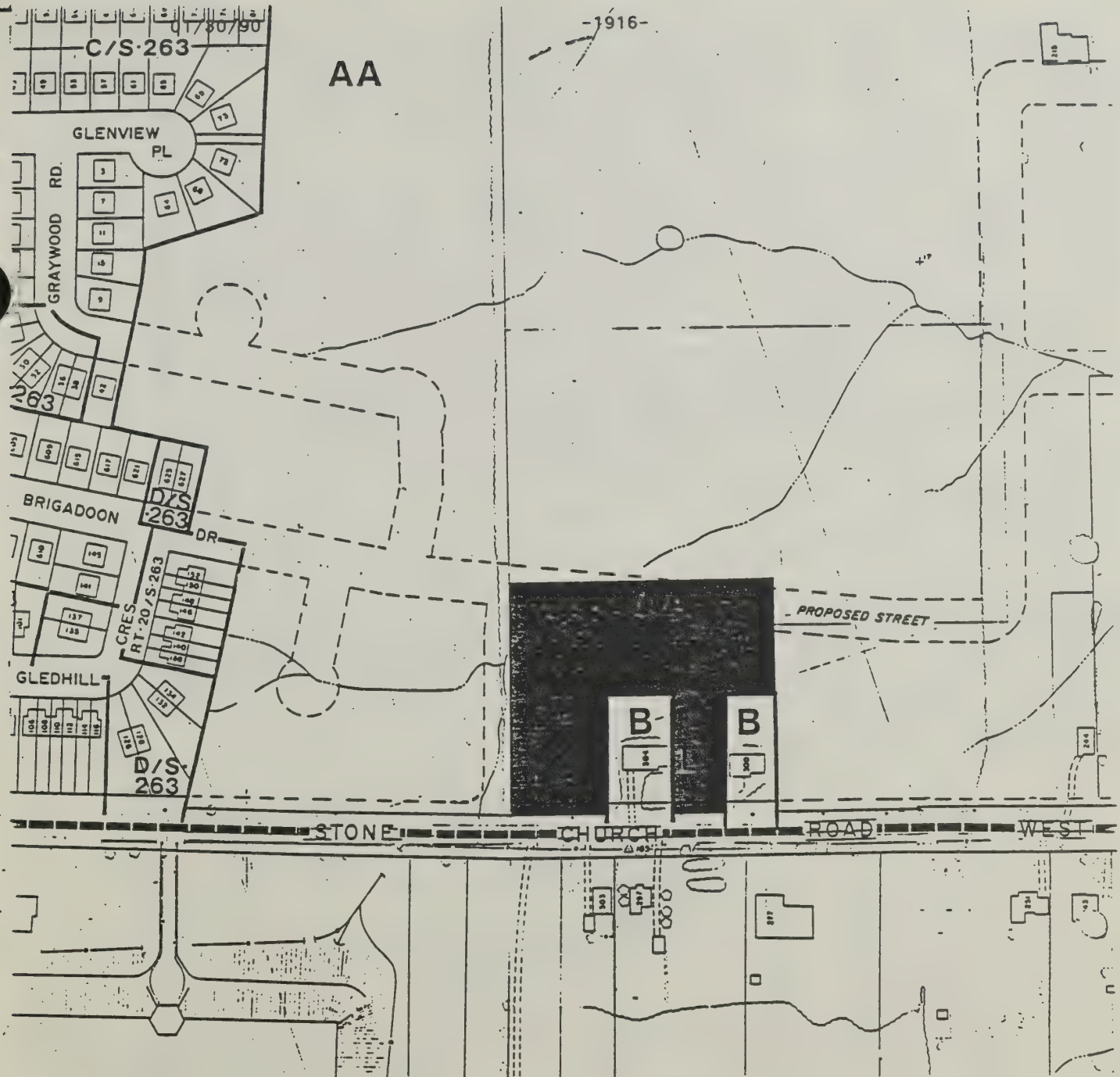
Important to the preservation of 219-227 Ferguson Avenue South are the original features of the west, south and north facades, including the ornamental wooden trim, the original front doorways (excluding the doors of #221, #223 and #225) and windows with their stained glass transoms.

Appendix "A" as referred to in
Section 9 of the 1st Report for
1990 of the Planning and
Development Committee

219-227 Ferguson Avenue South

5-unit Victorian brick terrace; built 1894.

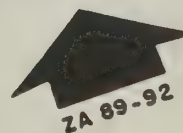




LEGEND

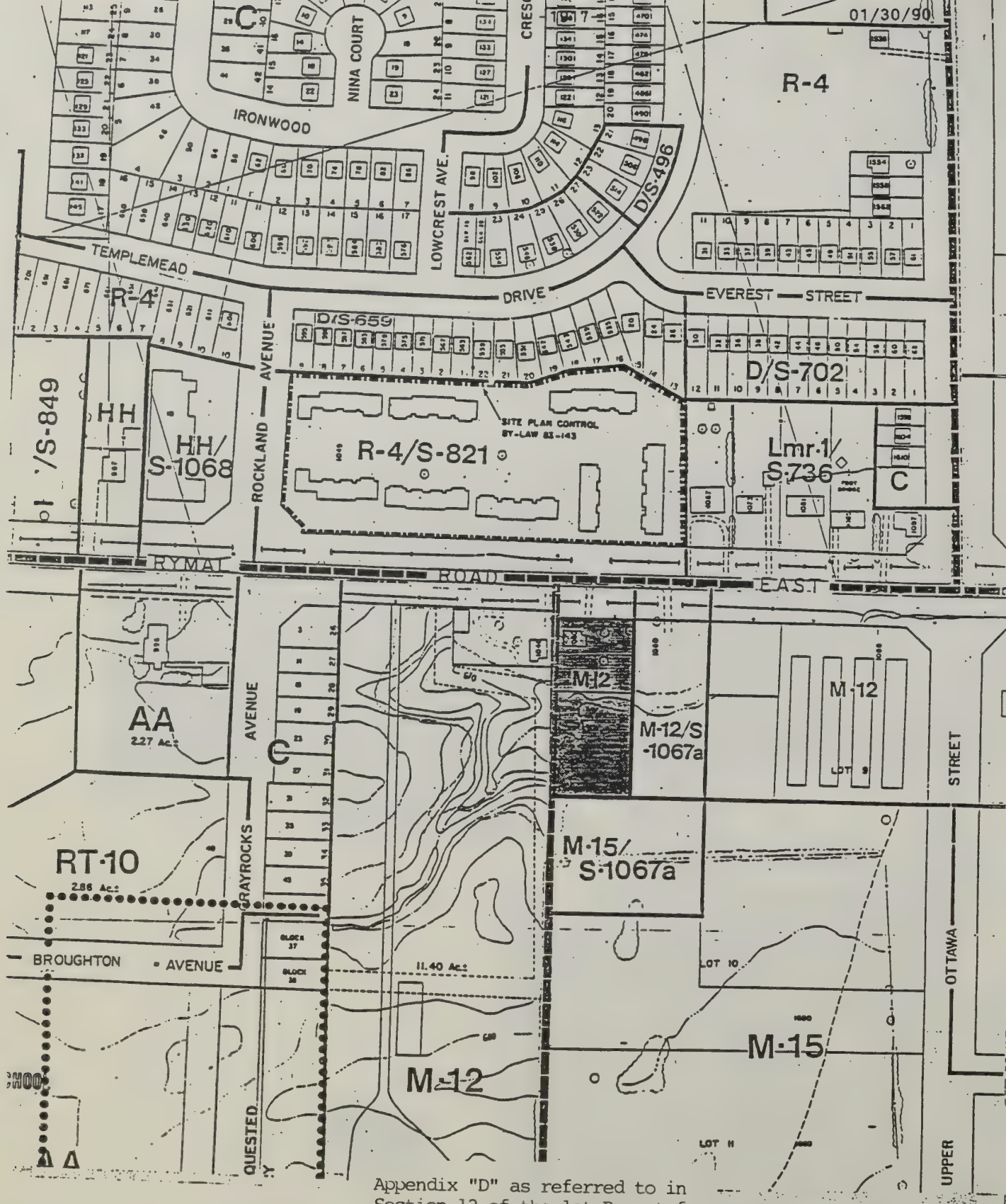


SITE OF THE APPLICATION

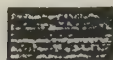


Appendix "C" as referred to in
Section 11 of the 1st Report for
1990 of the Planning and
Development Committee

APPENDIX A

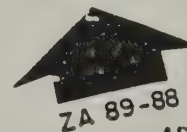


Legend



Site of the Application

Appendix "D" as referred to in
Section 12 of the 1st Report for
1990 of the Planning and
Development Committee



APPENDIX A

01/30/90

-1918-

LIVORNO COURT

L-mr-1/
S-401

SINENA AVENUE

R-4

GAGLIANO DRIVE

EAGLEWOOD DRIVE

AA

GAGE AVENUE

UPPER

RYMAL ROAD

STREET

PROPOSED

STREET

PROPOSED

[Parcel of land to be acquired]

TOTAL
NO OF
UNITS 88

RT-10/S-942

AA

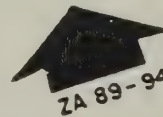
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Appendix "E" as referred to in
Section 13 of the 1st Report for
1990 of the Planning and
Development Committee

Legend



Site of the Application



APPENDIX A

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SECOND Report for 1990 and respectfully recommends:

1. That the City of Hamilton accept the sum of \$3,900. as cash payment in lieu of 5% parkland dedication in connection with "Eleanor Heights Addition - Phase One", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located north of Rymal Road and east of Eleanor Avenue in the Eleanor Neighbourhood, Hamilton.

2. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owner of 1154 Rymal Road East, Hamilton, Ontario, to release the property from the construction covenants to the City as contained in deed instrument #205947 LT, registered 1987 July 30.

NOTE: City Council on 1987 June 23, authorized the sale of Lot 4, Registered Plan 62M-352, to James Miles. The transaction was completed on 1987 July 30. On 1989 December 4, the proposed building was completed.

The Director of Property supports the request of the owner that the City of Hamilton release the construction covenants contained in deed number 205947 LT in order to clear the title.

All the covenants as noted above have been fulfilled.

3. (a) That the City of Hamilton adopt a By-law to remove part-lot control from Holland Avenue and Parcel "B", Registered Plan No. 909.
- (b) That the City of Hamilton be directed to prepare the appropriate By-law for presentation to City Council.
- (c) That the Regional Municipality of Hamilton-Wentworth be requested to approve the By-law removing part-lot control on the above-noted parts of Registered Plan No. 909.
- (d) That the By-law not be registered prior to the registration of Aquino Gardens, Phase 1 (25T-88014).
- (e) That the By-law be repealed within 6 months of the date of its registration.

NOTE: The lands are located south of Stone Church Road East and west of Beaverton Drive in the Butler Neighbourhood, City of Hamilton.

4. (a) That approval be given to Official Plan Amendment No. 86 to:

- (i) Redesignate lands on the west side of Centennial Parkway, between the Q.E.W. interchange and the railway tracks (including the Signature Inn, retail plaza and the Pines Motel and restaurant) from "Industrial" to "Commercial", and remove from Special Policy Area 11 (Light Industrial Uses);
 - (ii) Redesignate lands on the east side of Centennial Parkway, north of Barton Street (including the two car dealerships and service station) from "Industrial" to "Commercial", remove from Special Policy Area 11 and placed in a new Special Policy Area limiting commercial development to those uses which support tourism and cater to the travelling public, such as theatres, fitness clubs, car/truck rentals, restaurants, dinner clubs, and similar uses;
 - (iii) Designate all lands within the study area (as shown on the map attached herewith and marked Appendix "A", - Land Uses Concept) as a "Community Improvement Area", as shown as Schedule "H" of the Official Plan;
 - (iv) Incorporate a new policy into the Official Plan recognizing the railway's concerns regarding development adjacent to their lands and directing any future proponents for development/redevelopment to consult with CN regarding drainage, fencing and setbacks; and,
- (b) That the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (c) That the Planning and Development Department be directed to initiate discussions with the owners of the lands on the east side of Centennial Parkway, north of Barton Street (two car dealerships and service station) for the purpose of ascertaining their intentions for the development/redevelopment of their lands and their receptiveness to initiate rezonings consistent with the Official Plan Amendment noted in (a) above.
- (d) That the Neighbourhood Plans be prepared/amended on the basis of the following:
- (i) Kentley and Riverdale West Neighbourhood Plans be amended for those lands fronting onto Centennial Parkway between Barton Street and Queenston Road in accordance with the Land Use Concept; and,

- (ii) Neighbourhood Plans be prepared for those portions of Lakely and Nashdale Neighbourhoods fronting onto Centennial Parkway, between the Q.E.W. and Barton Street, in accordance with the Land Use Concept. Special policies recognizing CN's concerns should be recognized for those lands adjacent to the railway line.
- (iii) That in conjunction with the revision/preparation of these Neighbourhood Plans, urban design guidelines should be established for the entire area and should reflect the concepts articulated in Section 3.0 of the Gateway East Study.
- (e) That Site Plan Control By-laws No. 87-223 and 79-275 be amended to include those lands within the Study Area not now covered by Site Plan Control.
- (f) That actions and priorities as detailed in Table 11 - Implementation Strategy - Design Improvements, attached herewith and marked Appendix "B", be endorsed, and staff be directed to coordinate their implementation with other departments and agencies.
- (g) That the Planning and Development Department, in conjunction with the Community Development Department and the Region's Economic Development Department, be directed to:
 - (i) Liaise with the local business people, land owners, etc., in an attempt to establish a local business association for some or all of the study area; and,
 - (ii) In conjunction with (i) above, identify an area theme for promotional purposes.
- (h) That the Region's Engineering Department be advised that with respect to the draft Regional Signage Study, that:
 - (i) The Province be requested to consider signing the Centennial Parkway interchange on the Q.E.W. as "Hamilton";
 - (ii) The Province be requested to consider identifying Centennial Parkway as an alternate route to downtown Hamilton; and,
 - (iii) Trail blazer signs be provided for Confederation Park and Wild Water Works.

NOTE: The Gateway East Study (Centennial Parkway from Confederation Park to Queenston Road) was initiated at the request of the Planning and Development Committee and the Executive Committee to study;

- (a) "Ways and means of improving the promotion of the hospitality industry in the City"; and,

- (b) "The present and proposed zoning and development of properties fronting on Highway 20 .. to ensure maximum benefits to the City as a growth area".

Accordingly, the Gateway East Study was undertaken. Its findings were reviewed by the public at an Open House on 1989 August 9 and 10, and a Public Meeting of the Planning and Development Committee on 1989 September 13.

As a result of the public input and comments received from various departments and agencies, the study findings have been refined and the above-noted final recommendations prepared for Committee and Council consideration.

5. That the approved plan for the Albion Falls Neighbourhood be amended, as shown on the map attached herewith and marked Appendix "C", to reflect proposed pedestrian bridges and closures of roadway sections included in the Red Hill Creek Recreation Master Plan.

NOTE: The Red Hill Creek Recreation Master Plan was prepared to provide a detailed framework to maximize the open space potential within the Red Hill Creek Valley, in the vicinity of the approved roadway facility. The Plan includes pedestrian trails and bridges and year-round recreational facilities. The Plan was finalized during 1988-1989, and underwent public review, submissions and revisions. It received approval from the Parks and Recreation Committee on 1989 December 5, and was adopted by City Council on 1989 December 12.

The Master Plan takes into consideration various recreational needs, including the need for pedestrian crossings of the Proposed Mountain Freeway, both above and below the escarpment. Such crossings by means of bridges and underpasses, are necessary to access schools, community facilities, etc. There are also a number of roadway section closures in the vicinity of the proposed roadway, in locations where grade separations are not warranted.

The Albion Falls Neighbourhood Plan should be amended to reflect the pedestrian overpasses and roadway section closures as outlined above, to ensure that it is consistent with the approved Recreation Master Plan.

6. That approval be given to amended Zoning Application 89-86, Renata Golba and Mirosław Chuchla, owners, requesting a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District to permit a multiple dwelling having a maximum of four dwelling units, for property located at 780 Upper Paradise Road, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37B for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (d) That the approved Gurnett Neighbourhood Plan be amended by redesignating the lands to "Attached Housing".

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District for property located at 780 Upper Paradise Road.

The effect of the proposed change in zoning is to permit the construction of a multiple dwelling having a maximum of four (4) dwelling units. The existing building would be demolished.

7. That approval be given to amended Zoning Application 89-97, Joseph Greenbaum, owner, requesting a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations to permit a shopping centre identification sign on property located at 1000 Upper Gage Avenue, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593, as amended by By-law No. 86-115, applicable to the subject lands, be further modified to include the following variances as special provisions:
 - (i) That notwithstanding the provisions of Section 13.(1) of Zoning By-law No. 6593 a shopping centre identification sign having a maximum sign area of 12m² shall be permitted subject to the provisions of Section 13A(1)(xii) 3 and 5;
 - (ii) That notwithstanding the provisions of Section 13.(3) of Zoning By-law No. 6593 the shopping centre identification sign shall be set back a minimum of 3.0m from any street line;
 - (iii) That the shopping centre identification sign shall be set back a minimum of 3.0m from the nearest access driveway;
 - (iv) That the shopping centre identification sign shall have a minimum clear height of 3.0m from the ground to the bottom of the sign.

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as schedule S-156C, and that the subject lands on Zoning District Map E-38A be notated S-156C;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38A for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.

NOTE: The purpose of the By-law is to provide for a modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations, applicable to property located at 1000 Upper Gage Avenue.

The effect of the By-law is to permit a shopping centre identification sign to be located on the site subject to the following restrictions:

- (a) A maximum sign area of 12m²;
- (b) The sign shall be located at a distance of not less than 3.0m from a street-line or access driveway; and
- (c) The sign shall have a height of at least 3.0m from the ground to the bottom of the sign.

8. That approval be given to amended Zoning Application 89-106, Eric Miles, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit single-family residential development for property located at the rear of 323 Rymal Road East, as shown on the attached map marked as Appendix "F", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18D and E-18E for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 323 Rymal Road East.

The effect of the By-law is to sever the subject property to create four (4) building lots for single-family dwellings, fronting onto Bastille Street.

9. (a) That approval be given to Official Plan Amendment No. 85 to redesignate the northerly portion of Block "1" from "Utilities" to "Residential" and the City Solicitor be directed to prepare a By-law for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to amended Zoning Application 89-42, Rymal Square Developments Inc., owner, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Blocks "1" and "2"), "R-4" (Small Lot Single-Family Detached) District (Block "3"), "RT-20" (Townhouse-Maisonette) District modified (Blocks "4", "5", "6" and "7"), "DE-3" (Multiple Dwellings) District (Blocks "8", "9" and "10"), "E-2" (Multiple Dwellings) District (Blocks "11", "12" and "13"), and "G-1" (Designed Shopping Centres) District (Block "14"), to permit the development of the subject lands for single-family dwellings (Blocks "1" and "2"), small lot single-family dwellings (Block "3"), townhouses (Blocks "4" to "7"), low density apartments (Blocks "8" to "10"), medium density apartments (Blocks "11" to "13") and a shopping plaza (Block "14" in conjunction with the lands to the south), for the lands north of Rymal Road East between Upper Sherman Avenue and Upper Wentworth Street, as shown on the attached map marked as Appendix "G", on the following basis:
- (i) That Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (ii) That Blocks "3" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
 - (iii) That Blocks "4", "5", "6" and "7" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District;
 - (iv) That Blocks "8", "9" and "10" be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
 - (v) That Blocks "11", "12" and "13" be rezoned from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;
 - (vi) That Block "14" be rezoned from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District;
 - (vii) That the "RT-20" (Townhouse-Maisonette) District regulations contained in Section 10E of Zoning By-law No. 6593, applicable to Blocks "4", "5", "6" and "7", be modified to include the following variance as a special requirement:
 - (1.) That Section 10E (2)(a)(3) shall be prohibited.

- (viii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1156, and that Blocks "4", "5", "6" and "7" on Zoning District Map E-27D be notated S-1156;
- (ix) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27D for presentation to City Council;
- (x) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 85 by the Regional Municipality of Hamilton-Wentworth.
- (xi) That the Neighbourhood Plan be amended accordingly.

NOTE: The purpose of the By-law is to provide for changes in zoning from the lands located north of Rymal Road East, between Upper Wentworth Street and Upper Sherman Avenue, on the following basis:

- (a) Change in Zoning from "AA" (Agricultural) District to:
 - (i) Blocks "1" and "2" - "C" (Urban Protected Residential, etc.) District;
 - (ii) Blocks "3" - "R-4" (Small Lot Single-Family Detached) District;
 - (iii) Blocks "4" to "7" - "RT-20" (Townhouse-Maisonette) District modified;
 - (iv) Blocks "8" to "10" - "DE-3" (Multiple Dwellings) District;
 - (v) Blocks "11" to "13" - "E-2" (Multiple Dwellings) District;
 - (vi) Block "14" - "G-1" (Designed Shopping Centres) District.
- (b) The effect of the by-law is to permit the development of the subject lands for:
 - (i) Blocks "1" and "2" - single family dwellings;
 - (ii) Block "3" - small lot single-family dwellings;
 - (iii) Blocks "4" to "7" - townhouses and maisonettes (no street townhouses);
 - (iv) Blocks "8" to "10" - low density apartments;

- (v) Blocks "11" to "13" - medium density apartments;
- (vi) Block "14" - shopping centre (in conjunction with lands to the south)

10. (a) That approval be given to Subdivision Application 89-13, Rymal Square Developments Inc., owner, to establish a draft plan of subdivision north of Rymal Road East between Upper Wentworth Street and Upper Sherman Avenue, subject to the following conditions:

- (i) That the approval apply to the plan prepared by MacKay, MacKay and Peters Ltd., dated 1989 March 15, revised to show 174 lots for single-family dwellings, 50 lots for small lot single-family dwellings, Blocks "230", "231", "234" and "235" for townhouse and maisonette development, Blocks "225", "229" and "233" for low density apartments, Blocks "226", "227" and "228" for medium density apartments, Block "232" for a shopping centre, Blocks "236" and "237" for development with adjacent lands, Blocks "238" to "241" inclusive for road widenings, and Block "242" as a planting strip (in conjunction with Block "232").
- (ii) That all streets within the final plan be established to their full required width either through acquisition by the owner or where required by By-law of the City of Hamilton.
- (iii) That Street "B" align with the sewer easement shown on Sewer Plan 88-S-56 east of Upper Wentworth Street.
- (iv) That the streets and the street widenings and daylighting for Rymal Road East, Upper Wentworth Street and Upper Sherman Avenue be dedicated to the City of Hamilton as public highways on the final plan.
- (v) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (vi) That the final plan conform with the Zoning By-law approved under The Planning Act.
- (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

- (ix) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (x) That Blocks "236" and "237" be developed with abutting lands.
 - (xi) That any dead-ends and open sides of the road allowances created by the plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of adjacent lands.
 - (xii) That 2m x 2m daylight triangles be established on all L-shaped streets.
 - (xiii) That the streets align with those to be established by the plan to the north.
 - (xiv) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (xv) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-89-13), Rymal Square Developments Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
11. (a) That approval be given to Subdivision Application 89-15, "Sgro Gardens", Vito and Angela Sgro, owners, to establish a draft plan of subdivision located on the east side of Eleanor Avenue and on the north side of Dulgaren Street in the Eleanor Neighbourhood, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1989 May 17, revised by locating Mentino Crescent to align centre line to centre line with Presidio Drive and by providing part of a turning circle.
 - (ii) That the final plan conform with the Zoning By-law approved under The Planning Act.

- (iii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (iv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 - (vi) That the owner provide sufficient lands for a turning circle at the location of Lot 15 and Lot 16.
 - (vii) That the plan not receive final approval prior to the approval of services on Dulgaren Street.
 - (viii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (ix) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-89-15), V. & A. Sgro, owners, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal service has been approved by City Council.
12. That approval be given to Zoning Application 89-72, Vito and Angela Sgro, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 77 Eleanor Avenue, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 77 Eleanor Avenue.

The effect of the By-law is to subdivide the subject property into building lots for single-family dwellings.

13. That Zoning Application 88-111, J. Calzonetti, owner, requesting changes in zoning from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District (Block "1"), and "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District (Block "2"), to permit the construction of a strip commercial plaza, for the properties located at 829, 837, 845 and 867 Rymal Road East, as shown on the attached map marked as Appendix "I", be DENIED for the following reasons:
 - (a) The proposal conflicts with the intent of the Official Plan which designates the majority of the lands "Residential".
 - (b) It conflicts with the recently approved Eleanor Neighbourhood Plan which designates the site "Commercial and Apartments" (minimum 50% residential), "Attached Housing" and "Single and Double Housing". The intent of the "Commercial and Apartments" designation is to allow for mixed use developments and not solely for commercial purposes.
 - (c) Approval of the application may encourage other similar applications, which, if approved, would undermine the intent of the Official Plan and Neighbourhood Plan.
14. (a) That By-law 89-365 be repealed in its entirety.
- (b) That Section 10 of the 23rd Report for 1988 of the Planning and Development Committee approved by City Council on 1988 November 29, be repealed in its entirety, and replaced with the following:
 - (i) That approval be given to Zoning Application 88-82, Red Lobster Canada, lessee, for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District, to permit the use of the land for a parking lot in conjunction with the Red Lobster restaurant, for property located at the rear of 1066 Upper James Street, as shown on the attached map marked as Appendix "J", on the following basis:
 - (1.) That the subject lands be rezoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District;

- (2.) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- (a) Notwithstanding Section 13C(3)(ii) of Zoning By-law No. 6593, a minimum 3.0m wide landscaped planting strip shall be provided and maintained along the northerly and westerly lot lines, and a minimum 1.5m wide landscaped planting strip shall be provided and maintained along the southerly lot line.
 - (b) Notwithstanding Section 13C(3)(iii) of Zoning By-law No. 6593, a visual barrier not less than 1.2m and not greater than 2.0m in height shall be provided and maintained along the northerly, southerly and westerly lot lines.
- (3.) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1103, and that the subject lands on Zoning District Map W-9A be notated S-1103;
- (4.) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9A for presentation to City Council;
- (5.) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (6.) That the Yeoville Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double Housing" to "Commercial".
- (c) That the amending by-law not be forwarded to City Council for passage until such time as the required site plan is approved by the Planning and Development Committee.

NOTE: The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District.

The effect of the by-law is to permit a parking lot in conjunction with the Red Lobster restaurant located at 1066 Upper James Street.

In addition, the by-law will require the following:

- (a) A minimum 3.0m wide landscaped planting strip to be provided and maintained along the northerly and westerly lot lines;
- (b) A minimum 1.5m wide landscaped planting strip to be provided and maintained along the southerly lot line; and,
- (c) A visual barrier not less than 1.2m and not greater than 2.0m in height to be provided and maintained along the northerly, southerly and westerly lot lines.

15. That the Public Notification Procedure for Sign Posting Requirements for Zoning Applications, approved by City Council on 1987 March 10th, be amended to require that the Planning Department advise the applicant that the sign must be removed 30 days after the By-law comes into effect, or 30 days after City Council has denied the application.

16. That leave be granted to introduce the following Bills:

- (a) Bill D-1 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 783, 785 and 791 Concession Street.
- (b) Bill D-2 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear part of Municipal No. 1258 Upper Wentworth Street.
- (c) Bill D-3 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 408 Rymal Road East.
- (d) Bill D-4 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 404 Cochrane Road South.
- (e) Bill D-5 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1399 Upper James Street.
- (f) Bill D-6 A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Annabelle Street, north of Stone Church Road West.
- (g) Bill D-7 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 311 Rymal Road East.

- (h) Bill D-8 A By-law to amend Zoning By-law No. 6593 respecting lands located at the northwest corner of Limeridge Road East and Upper Gage Avenue.
- (i) Bill D-9 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 2846 King Street East.
- (j) Bill D-10 A By-law to establish Site Plan Control respecting land located at Municipal No. 2846 King Street East.

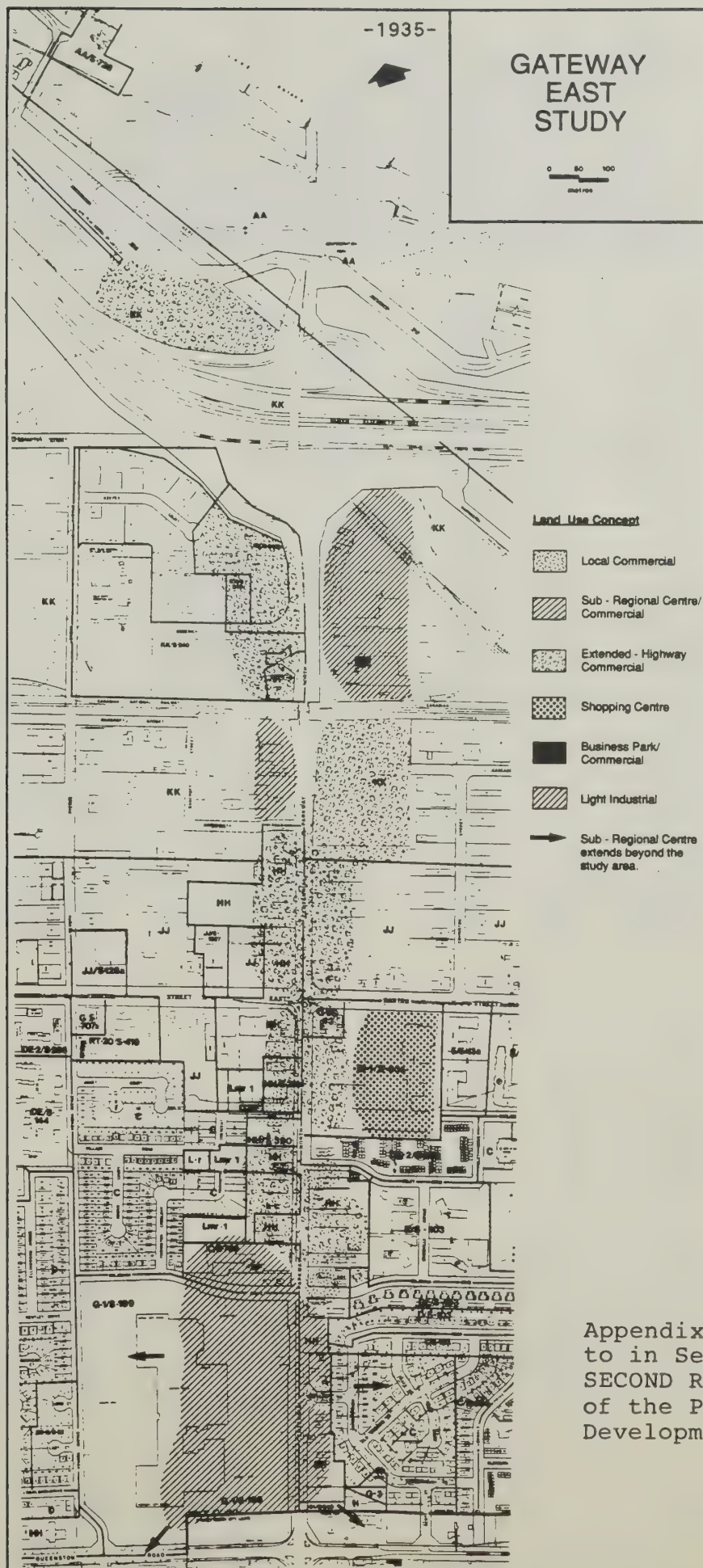
Respectfully submitted,

Alderman J. Smith, Chairman
Planning and Development Committee

Susan K. Reeder
Secretary
1990 January 3rd

-1935-

GATEWAY EAST STUDY

 0 50 100
 METRES


Appendix "A" as referred to in Section 4 of the SECOND Report for 1990 of the Planning & Development Committee

TABLE II
Implementation Strategy - Design Improvements

Location and Existing Land Uses	Proposed Land Use Designation	Existing Features	Proposed Improvements (and Priority)* Short Term	Long Term	Comments
North of QEW - Confederation Park and Industry (Lang Foods)	Open Space and Extended Highway Commercial	Landscaping, plantings and lawn, signs at entrance to Confederation Park	Additional landscaping for new tourism uses and industry (II)	Further unique design features at park entrance (H); sidewalks (II)	Future hotel and tourist information centre to be appropriately landscaped. Economic Development and Planning Departments.
Both sides of Centennial: QEW and Interchange lands - Highway overpass	Open Space	Natural woods and lawn	Flags and banners on MTO lands (M)	Sidewalks (II)	"Welcome to Hamilton" theme to be incorporated to be co-ordinated with MTO.
West Side: QEW to Rail Bridge - Hotels and Plaza	Extended Highway Commercial	Attractive plantings, on hotel and plaza sites	Additional landscaping on vacant land (H); flags and banners (L)	Tourist redirection or orientation area (H)	Possible shared use of parking areas for tourist redirection to Regional tourist information centre.
East Side: QEW to Rail Bridge - Industry (Maxman)	Business Park/Commercial	Few trees or shrubs, closed fence unattractive	Additional landscaping, especially trees and shrubs, to block views of industry (II)	Sidewalks (II)	Site plan control for redevelopment to be undertaken by Planning Department
Both Sides: Rail Bridge and slopes to north and south of bridge	Business Park/Commercial and Light Industrial	Bridge narrow, requires maintenance, acts as psychological barrier; slopes have untidy grass and weeds.	Improvements to bridge, such as cleaning, painting and adding graphics (H+); extensive planting on slopes (H+).	Widening of bridge (H); sidewalks (II)	Design competition to be used to refine approach for design. Themes: Gateway; "Welcome to Hamilton". Planning Dept. in conjunction with Engineering, and CNR as necessary.

* Note: Categories for priorities - L = Low; M = Medium; H = High; H+ = Very High.

Appendix "B" as referred to in Section 4 of the SECOND Report for 1990 of the Planning & Development Committee

Table II Continued

Implementation: Strategy - Design Improvements

<u>Location and Existing Land Use</u>	<u>Proposed Land Use Designation</u>	<u>Existing Features</u>	<u>Proposed Improvements (and Priority)</u> <u>Short Term</u>	<u>Long Term</u>	<u>Comments</u>
West Side: Delawana Drive to Queenston Road - Eastgate Square Shopping Centre	Sub-Regional Centre	Attractive landscaping - boulevard with grass and trees; existing sidewalks	Additional shrubs (L)		The existing design is good. Perhaps slightly more trees or shrubs could be provided. Planning Department and property owners.
East Side: Delawana Drive to Queenston Road - Strip plazas	Extension of Sub-Regional Centre, including retail and offices	Very little landscaping, no sidewalks	Continuous co-ordinated urban landscape, by provision of street furniture, etc. (M); Some additional green landscaping (L).	Sidewalks (H)	Site plan control. Eliminate car parking closer to roadway. Planning Department, property owners, and by-law enforcement.
Queenston Road	Sub-Regional Centre	Standard four-way intersection			Queenston Road is a major point of departure which merits special landmark (as Barton St.). Design competition to refine approach. Planning and Engineering Departments.
Overall Study Area					Planning and Engineering Departments to undertake preparation of guidelines, and coordinate design competition.

Redesign of intersection, e.g. design features of corners, arch or gate;

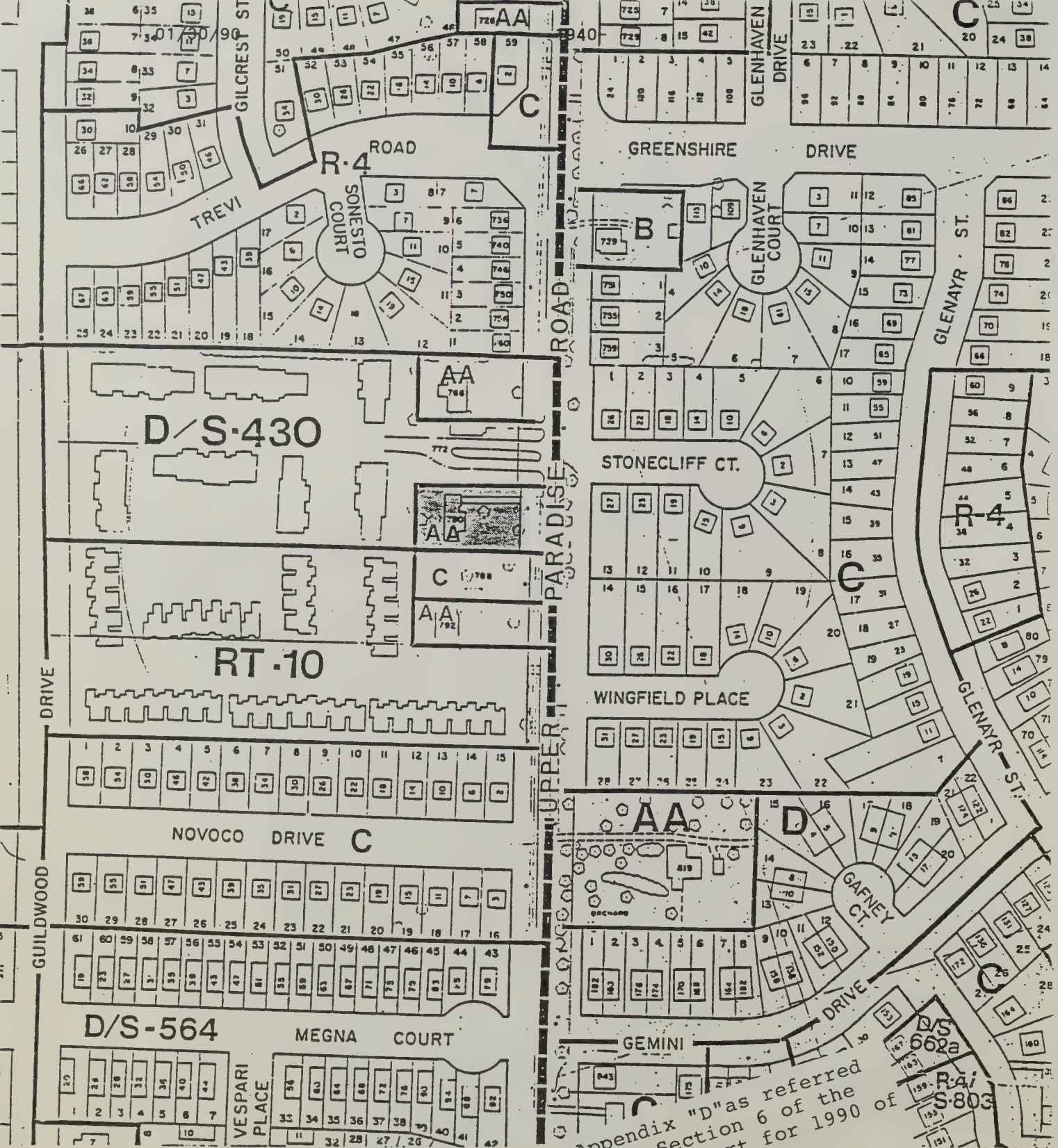
Design guidelines to guide Zoning by-laws and Site Plan Control process. Zoning by-law amendments to regulate design. Site Plan Control. Design competition to determine details of special features; e.g., intersection improvements.

TABLE II Continued
Implementation Strategy - Design Improvements

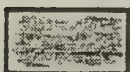
Location and Existing Land Uses	Proposed Land Use Designation	Existing Features	Proposed Improvements (and Priority) Short Term	Long Term	Comments
Both sides of Centennial: Rail Bridge to Arrowsmith Road - Industry and vacant land	Business Park/Commercial and Light Industrial	Untidy grass and weeds on side slopes; open fence allows views of outdoor storage for industry.	Extensive planting on slopes (H+); closed fence on west side (H)	Sidewalks (H)	Same landscaping treatment as north of Rail Bridge for slopes; site plan control. Planning and Engineering Departments.
Both sides: Arrowsmith Road to Barton Street - Mixed highway commercial uses	Extended Highway Commercial	Some properties are well landscaped, others lack landscaping, especially green plantings	Generous green plantings to be provided in a continuous fashion (H)	Sidewalks (H)	Site plan control for new development. Planning Department, private owners.
Barton Street - Intersection with Centennial	Extended Highway Commercial	Standard four-way intersection		Redesign of intersection, e.g. design features on corners, arch or gate (H).	Barton Street is a major point of departure which merits special landmark. Design competition to be used to refine design approach. Planning Department.
Both Sides: Barton Street to Delaware Drive except minor intersections - Mixed highway commercial uses	Extended Highway Commercial	Some well landscaped properties with trees and shrubs; others lack any landscaping.	Coordinated urban streetscape to be provided by provision of street furniture; banners, utilities, etc. (M); some additional landscaping (L).	Sidewalks (H)	Site plan control to be required; eliminate car parking on road allowances. Planning Department and By-law enforcement.
Both Sides: Barton Street to Delaware Drive at minor intersections - Mixed highway commercial uses	Local Commercial	Most properties have minimal landscaping, few are presently used for local commercial purposes.	Spot improvements to landscaping for existing uses (M)	With redevelopment for local commercial, appropriate plaza design and landscaping to be incorporated (H); sidewalks (H)	Site plan control Local improvements Planning and Engineering Departments, private property owners.



Appendix "C" as referred to in Section 5 of the SECOND Report for 1990 of the Planning & Development Committee



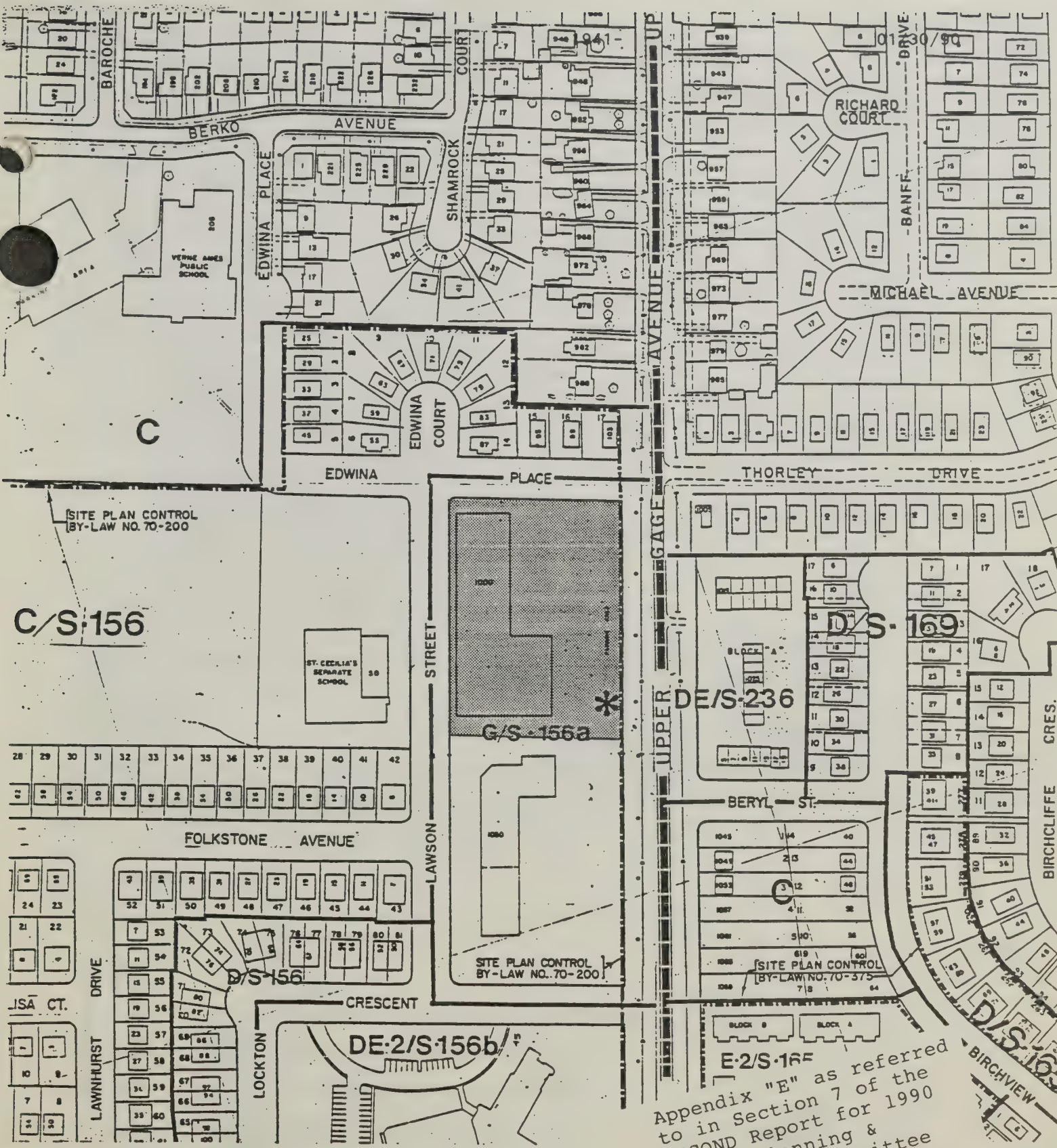
LEGEND



SITE OF THE APPLICATION

Appendix "D" as referred
to in Section 6 of the
SECOND Report for 1990 of
the Planning &
Development Committee





Legend



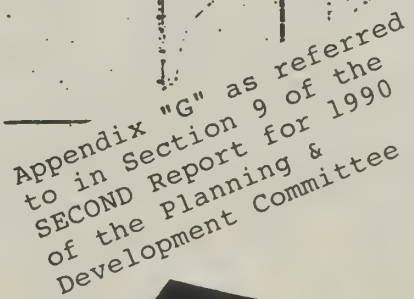
Site of the Application




Location of Proposed Pylon Sign

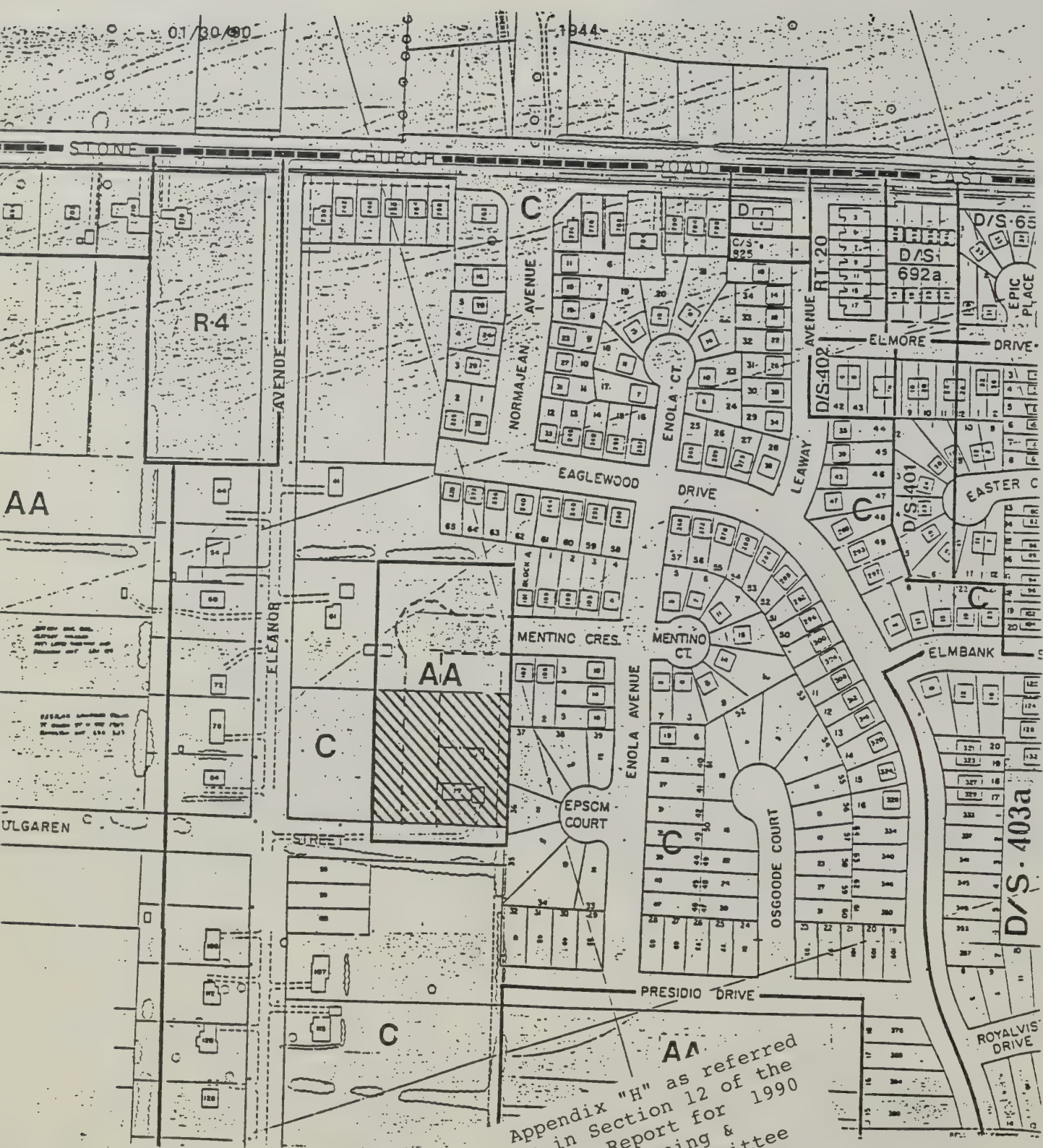
Appendix "E" as referred
to in Section 7 of the
SECOND Report for 1990
of the Planning &
Development Committee





Proposed change in zoning: from "AA"(Agricultural) District to:

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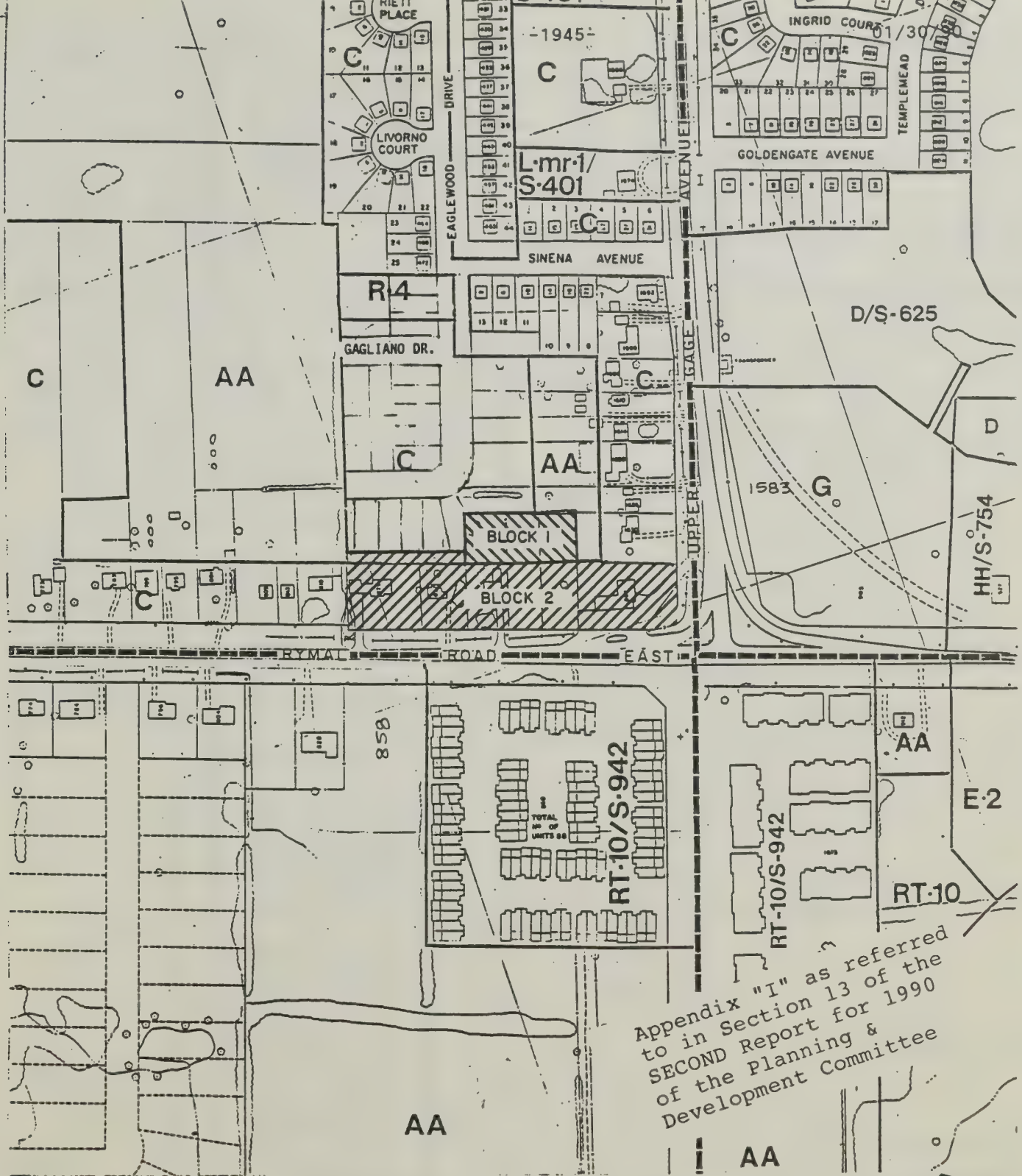
Site of the Application

Appendix "H" as referred
to in Section 12 of the
SECOND Report for 1990
of the Planning &
Development Committee



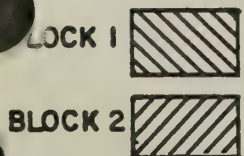
ZA-89-72

APPENDIX A



LEGEND

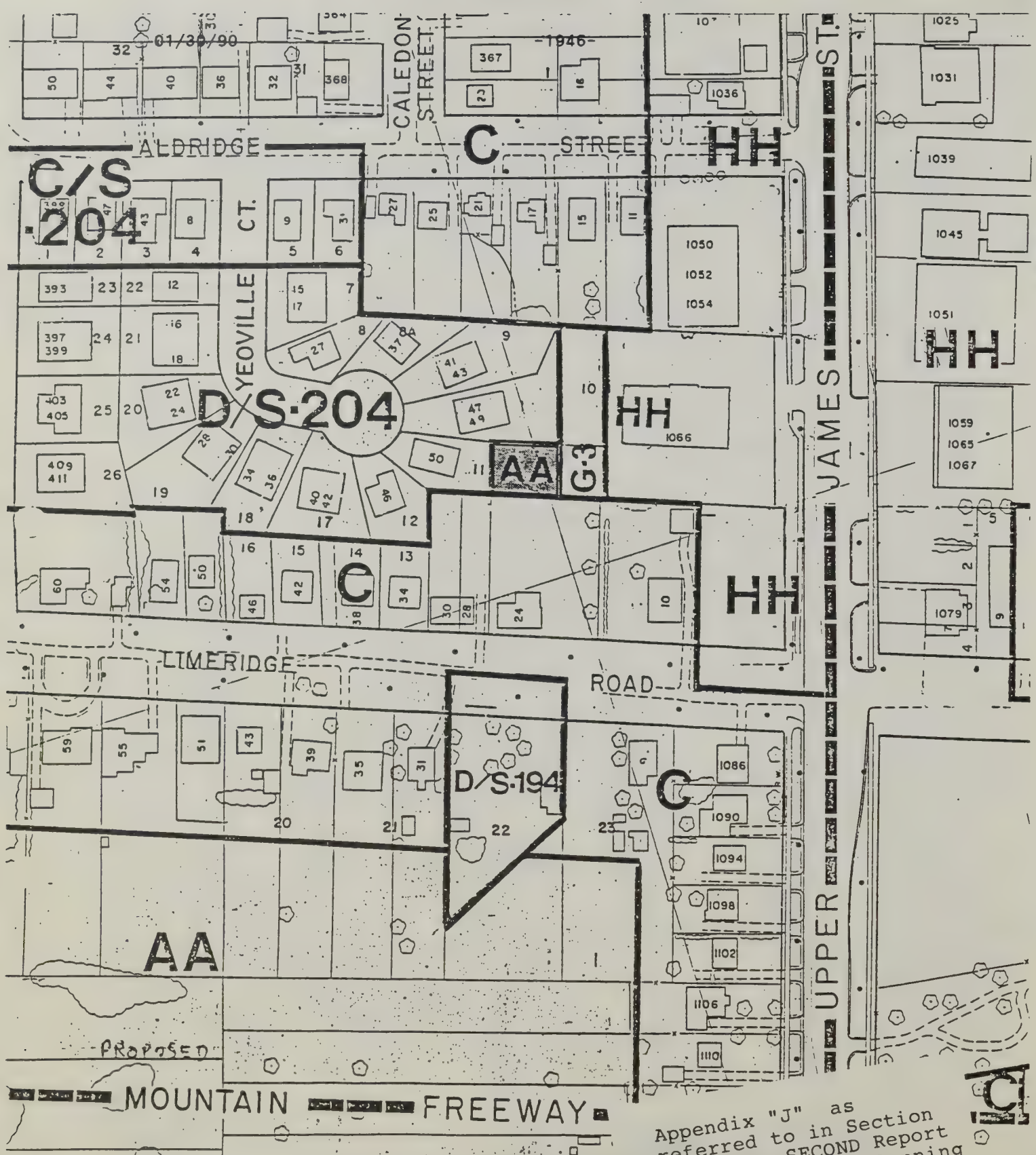
PROPOSED CHANGE IN ZONING FROM :



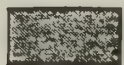
"AA" (AGRICULTURAL) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.

"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.



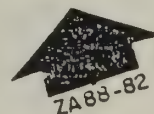


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Site of the Application

Appendix "J" as referred to in Section 14 of the SECOND Report for 1990 of the Planning & Development Committee



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its THIRD Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:

- (a) 230 Eleanor Avenue
- (b) 74 Melbourne Street
- (c) 401 Sherman Avenue North
- (d) 91 Arbour Road
- (e) 30 Queensdale Avenue West
- (f) 337 East Avenue North
- (g) 1198 Stone Church Road East

2. That the City Solicitor be authorized to amend By-law 87-312 as follows:

- (a) That Section 6(a) be amended by adding the name:
Wak-Kuen Wong, P. Eng.
- (b) That Section 8(a) be amended by deleting the name:
Wak-Kuen Wong, P. Eng.
- (c) That Section 9(a) be amended by deleting the name:
Gerald N. Farrell
- (d) That Section 9(a) be amended by adding the names:
Natalie Gould
Glen McCrory

NOTE: Due to recent changes in the staff of the Building Department, By-law 87-312 respecting the Appointment of Inspectors needs to be amended to accommodate these changes.

3. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owner of 211-229 Lanark Street, Hamilton, Ontario to release the property from the construction covenants to the City as contained in deed instrument #103418 A.B. registered 1968 September 4.

NOTE: In adopting Section 37 of the Board of Control Report, City Council on 1968 February 27, authorized the sale of Lot 6, Registered Plan 1309 to Louis Filo. The transaction was completed on 1968 September 4. The proposed building was completed.

All the covenants as noted above have been fulfilled.

4. (a) That a By-law to expropriate, under Section 34(8) of The Planning Act, 1983, lands and structures which do not conform with a by-law passed under Section 34 which land is described as Parts 1, 2 and 4 together with a right-of-way over Part 3 on Survey 62R-10267 (measuring approximately 30.08 feet by 93.39 feet) be enacted by Council.
- (b) That the City Solicitor be directed to prepare the appropriate By-law for presentation to City Council.

NOTE: As authorized by Council at its meeting of 1989 June 27, Notice of the City's intention to expropriate this land has been advertised and served upon all persons having an interest in this land and no request for an inquiry hearing into the proposed expropriation has been received.

The next step in this expropriation under The Expropriations Act is for Council to enact the Expropriation By-law which will authorize the registration of the City's Expropriation Plan. This land is required to remove residential uses from the Industrial areas in the Alpha Enclave.

5. That approval be given to Proposed Draft Plan of Condominium Application SA-89-20 "Pigott and Sunlife Buildings", Reemark Heritage Gardens Limited, owner, to establish a draft plan of condominium located on the north-westerly corner of James Street and Main Street, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by Yates & Yates, O.L.S., dated 1989 May 5.
 - (b) That the owner agree in writing to satisfy the financial requirements of the Regional Municipality of Hamilton-Wentworth.

6. That approval be given to Proposed Draft Plan of Condominium Application SA-89-30 "Kingsmount Place II", T. Valeri Construction Ltd., owner, to establish a draft plan of condominium located on the south side of Rymal Road East and west of Derby Street, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by J. D. Barnes Limited, dated 1989 October 17, showing 47 townhouse units.
 - (b) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.
7. That approval be given to Proposed Draft Plan of Condominium Application SA-89-32, T. Valeri Construction Limited, owner, to establish a draft plan of condominium located at the south-west corner of Rymal Road East and Derby Street, subject to the following conditions:
 - (a) That this approval to the plan prepared by J. D. Barnes Limited, dated 1989 October 10, showing 50 townhouse units.
 - (b) That the owner agree, in writing, to satisfy the financial requirements with the Regional Municipality of Hamilton-Wentworth.
8. That approval be given to Proposed Draft Plan of Condominium Application SA-89-33, T. Valeri Construction Limited, owner, to establish a draft plan of condominium located at the north side of Ossington Drive, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by J. D. Barnes Limited, dated 1989 October 10, showing 20 townhouse units.
 - (b) That the owner agree, in writing, to satisfy the financial requirements with the Regional Municipality of Hamilton-Wentworth.
9. That approval be given to Proposed Draft Plan of Condominium Application SA-89-31 "Stone West Village", West Highland Management Limited, owner, to establish a draft plan of condominium located on the north easterly corner of West 5th Street and Stone Church Road, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by J. D. Barnes, O.L.S., dated 1989 October 30 showing 71 townhouse units.
 - (b) That the owner convey the 5.18m road widenings on West 5th Street and Stone Church Road and the daylight triangle to the Regional Municipality of Hamilton-Wentworth.
 - (c) That the owner agree, in writing, to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

10. (a) That the City of Hamilton adopt a by-law to remove part-lot control from Lots 1 to 30, 53 to 67, 69 to 138, inclusive, and Block 140 of Registered Plan 62M-639.
- (b) That the City Solicitor be directed to prepare the appropriate By-law for presentation to City Council.
- (c) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control on the above noted lots and block of Registered Plan 62M-639.
- (d) That the by-law be repealed within 6-months of the date of its registration.

NOTE: The lands are located south of Rymal Road East and east of Upper Gage Avenue in the Broughton East Neighbourhood, City of Hamilton. The lands are part of Lillian Heights, a plan of subdivision which was registered in part as R.P.M-639.

11. That the Regional Municipality of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Wisemount Forest Survey" Subdivision (Regional File No. 25T-83004).
- * 12. That the following recommendations of the Central Area Plan Implementation Committee be approved:
 - (a) That the proposed reconstruction of James Mountain Road be delayed until such time as a study assessing the proposed improvements in the overall context of City-wide transportation needs is carried out.
 - (b) That special design attention be paid to the aesthetic and environmental quality of James Mountain Road within its Niagara Escarpment setting.
 - (c) That the report of C.A.P.I.C. and attachments be forwarded to the Regional Engineering Services Committee.
13. (a) That approval be given to designate by By-law the MacNab-Charles Heritage Conservation District (the block bounded by MacNab Street South, Hurst Place, Charles Street and Bold Street with the exception of 131 Charles Street) under Part V of the Ontario Heritage Act.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this district designated pursuant to the provisions of the Ontario Heritage Act 1983.
- (c) That the MacNab-Charles Heritage Conservation District Plan be approved.

* *Section 12 (first paragraph) amended to read:*

That the following recommendations of the Central Area Plan Implementation Committee be forwarded to the Regional Engineering Services Committee for consideration:

Recorded vote, see page 1844

NOTE: A Copy of the MacNab-Charles Heritage Conservation District Plan was circulated to members of the Planning and Development Committee. Additional copies are available from the Committee Secretary upon request.

- *14. That approval be given to Zoning Application 89-54, Dunston Development Inc., owner, requesting a modification to the "M-12" (Prestige Industrial) District regulations, to permit a plumbing contractor with accessory office, general contractor with accessory sales offices, and manufacturing of solariums, solarium windows, and greenhouses with accessory sales office, for the property located at No. 1527 Upper Ottawa Street, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the "M-12" (Prestige Industrial) District regulations as contained in Section 17D of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 17D(1)(c), the following additional industrial uses shall be permitted:

<u>Industrial Use</u>		<u>S.I.C. Identification</u>
(1.)	Single-Family Housing Development	4011
(2.)	Apartment and Other Multiple Housing Development	4012
(3.)	Residential Renovation	4013
(4.)	Manufacturing and Light Industrial Building	4021
(5.)	Commercial Building	4022
(6.)	Institutional Building	4023
(7.)	Septic System Installation	4213
(8.)	Excavating & Grading	4214
(9.)	Form Work	4222
(10.)	Concrete Pouring & Finishing	4224
(11.)	Precast Concrete Installations	4225
(12.)	Rough & Framing Carpentry	4226
(13.)	Masonry Work	4231
(14.)	Siding Work	4232
(15.)	Insulation Work	4234
(16.)	Roof Shingling	4235
(17.)	Other Exterior Close-In Work	4239
(18.)	Plumbing	4241
(19.)	Dry Heating & Gas Piping Work	4242
(20.)	Wet Heating & Air Conditioning Work	4243
(21.)	Sheet Metal & Other Duct Work	4244
(22.)	Electrical Work	4261
(23.)	Plastering & Stucco Work	4271
(24.)	Drywall Work	4272

* Recorded vote, see page 1844

(25.)	Acoustical Work	4273
(26.)	Finish Carpentry	4274
(27.)	Painting & Decorating Work	4275
(28.)	Terrazzo & Tile Work	4276
(29.)	Hardwood Flooring Installation	4277
(30.)	Resilient Flooring & Carpet Work	4278
(31.)	Other Interior & Finishing Work	4279

- (ii) Notwithstanding Section 17D(1)(c), the following additional industrial use shall be permitted in addition to the uses listed in clause (i) above:

(1.) Manufacturing of solariums, solarium windows and greenhouses.

- (iii) That notwithstanding Section 17D(2)(h) outdoor storage shall be prohibited.

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1159, and that the subject lands on Zoning District Map E-59D be notated S-1159;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That the Mountain Industrial Neighbourhood Plan be amended by redesignating the subject lands from "Restricted Commercial-Industrial" to "Restricted Industrial".

NOTE: The purpose of the by-law is to provide for a modification to the "M-12" (Prestige Industrial) District regulations, for the property located at 1527 Upper Ottawa Street.

The effect of the by-law is to permit additional industrial uses as noted above.

In addition, the by-law prohibits outside storage.

15. That approval be given to Zoning Application 89-112, Starward Homes Limited, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings by adding these lands to the lands to the west, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17C for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for the property located at 244 Stone Church Road West.

The effect of the by-law is to permit the development of the subject lands for single-family dwellings by adding these lands to the lands to the west (Orchard Park Plan of Subdivision).

*16. That approval be given to Zoning Application 89-66, 804907 Ontario Limited, (Ming Sun Holdings Inc.) owner, requesting a modification to the established "M-12" (Prestige Industrial) District, for property located at 1575 Upper Ottawa Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the "M-12" (Prestige Industrial) District regulations as contained in Section 17D of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 17D(1)(b) of By-law No. 6593 the following Commercial uses shall be permitted:

<u>Commercial Use</u>	<u>S.I.C. Identification</u>
(1.) Tire, Battery, Parts and Accessories Store	6342
(2.) Garages (General Repairs)	6351
(3.) Muffler Replacement Shops	6353
(4.) Motor Vehicle Glass Replacement Shops	6354
(5.) Motor Vehicle Transmission Repair and Replacement Shops	6355
(6.) Other Motor Vehicle Repair Shops	6359
(7.) Other Motor Vehicle Services n.e.c.	6399

- (ii) That notwithstanding Section 17D(2)(h) of By-law No. 6593 outside storage shall be prohibited.

* Section 16 lost
Recorded vote, see page 1844

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1157, and that the subject lands on Zoning District Map E-59D be notated S-1157;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and
- (e) That the Mountain Industrial Area Neighbourhood Plan be amended by redesignating the subject lands from "Restricted Industrial/Commercial" to "Restricted Commercial".

NOTE: The purpose of the By-law is to provide for a modification to the "M-12" (Prestige Industrial) District for property located at 1575 Upper Ottawa Street.

The effect of the By-law is to permit the following additional automotive related commercial uses:

<u>Commercial Use</u>	<u>S.I.C. Identification</u>
(a) Tire, Battery, Parts and Accessories Store	6342
(b) Garages (General Repairs)	6351
(c) Muffler Replacement Shops	6353
(d) Motor Vehicle Glass Replacement Shops	6354
(e) Motor Vehicle Transmission Repair and Replacement Shops	6355
(f) Other Motor Vehicle Repair Shops	6359
(g) Other Motor Vehicle Services	6399
n.e.c.	

In addition, the By-law prohibits outside storage.

17. (a) That approval be given to an amended Zoning Application 89-84, 518374 Ontario Ltd., (Angelo Papastamos) owner, for a modification to the established "AA" (Agricultural) District to permit conversion of the existing building from a legal non-conforming auto-body business to a retail variety store on the first floor and business and professional persons offices on the second floor, for property located at 1314 Upper Wentworth Street, as shown on the attached map marked as Appendix "D", on the following basis:

- (i) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (1.) That notwithstanding Section 7A(1), the following uses shall be permitted:

Commercial Uses only within the Existing Building:

- (a) A retail variety store;
- (b) Business and professional person's office.

Accessory Use:

- (a) For each establishment, a window sign or an outdoor advertising or other sign of the kind known as a wall sign, of an area of not more than 2.5 square metres (26.91 square feet), not overhanging a highway and not extending more than 5.0 metres (16.40 feet) above grade or more than 1.0 metres (3.28 feet) above the top of the first storey of the building to which the same is attached, whichever is the higher, provided that not more than one such sign shall be permitted facing each street upon which each establishment abuts; and provided further that no such sign shall be illuminated otherwise than by non-flashing indirect lighting.
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1158, and that the subject lands on Zoning District Map E-18C be notated S-1158;
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council;
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (v) That By-law No. 79-275 as amended by By-law No. 87-223 establishing Site Plan control be amended by adding the lands shown on the attached map marked as Appendix "D" to Schedule "A".
- (b) That the amending By-law not be forwarded for passage by City Council until such time as a site plan has been approved by the Planning and Development Committee.

NOTE: The purpose of this By-law is to provide for a modification to the established "AA" (Agricultural) District regulations for property located at 1314 Upper Wentworth Street.

The effect of the By-law is to permit conversion of the existing building from that of a legal non-conforming auto-body business to a retail variety store on the ground floor and, business and professional offices on a second floor. The height of the building is such that it would lend itself to the introduction of a second floor.

In addition, the By-law provides for accessory signage.

18. That approval be given to amended Zoning Application 89-102, Carmen Chiaravalle and Anthony Lemmelo, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified for lands described as Block "1" and a modification to the "C" (Urban Protected Residential, etc.) District regulations for land described as Block "2", to create four single-family dwelling building lots, for property located on the east side of Upper Sherman Avenue north of Limeridge Road East, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the "C" (Urban Protected Residential, etc.) District regulations contained in Section 9 of Zoning By-law No. 6593, applicable to the lands shown as Blocks "1" and "2", be modified to include the following as special provisions:
 - (i) That notwithstanding Section 9(3) of Zoning By-law No. 6593, no building shall be permitted within 5 metres of the southerly lot line adjoining Limeridge Road East;
 - (ii) That notwithstanding Section 9(4) of Zoning By-law No. 6593, the most northerly three lots shall have a minimum lot area of 330m² each;
 - (iii) Access to Lot 4 (Appendix "F") shall be restricted to Limeridge Road East only and shall be approximately 3m from the easterly lot line and shall be at least 3m from the daylight triangle; and,
 - (iv) Access to Lot 3 (Appendix "F") shall be on the north limit of the lot to Upper Sherman Avenue.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1160, and that the subject lands on Zoning District Maps E-38A and E-38B be notated S-1160;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38A and E-38B for presentation to City Council:

- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (f) That the Lawfield Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Single and Double Residential".

NOTE: The purpose of the proposed By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified for lands described as Block "1", and a modification to the "C" (Urban Protected Residential, etc.) District regulations for lands described as Block "2".

The effect of the proposed change in zoning is to divide the subject land into four (4) building lots for single-family detached dwellings. In addition, the By-law provides for the following as special requirements:

- (a) The three northern lots shall have a minimum lot area of 330 square metres each, whereas 360m² is required;
- (b) No building shall be permitted within 5 metres of the southern lot line (i.e. Limeridge Road East);
- (c) Access to the southern lot shall be restricted to Limeridge Road East and shall be at least 3m from the easterly lot line and at least 3m from the daylight triangle at the corner of Upper Sherman Avenue and Limeridge Road East; and,
- (d) Access to Lot 3 shall be at the north limit of the lot to Upper Sherman Avenue.

19. That approval be given to Zoning Application 89-119, Lynn Mitges and Anna McCusker, owners, requesting a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit a flower shop and an office, for property located at 65 Walnut Street South, as shown on the attached map marked as Appendix "G", on the following basis:

- (a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 85-213, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 11A(1)(iii) of Zoning By-law No. 6593, a flower shop shall be permitted;
 - (ii) That notwithstanding Section 11A(1)(iii)(g) of Zoning By-law No. 6593, the storage of materials shall be permitted and shall occupy no more than one-half the floor area;

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-927a, and that the subject lands on Zoning District Map E-5 be notated S-927a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the proposed By-law is to provide for a modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at 65 Walnut Street South.

The effect of this By-law is to permit a flower shop and office within the existing building. In addition, the by-law provides, as a special provision, that the storage of materials shall occupy not more than one-half of the floor area of the building.

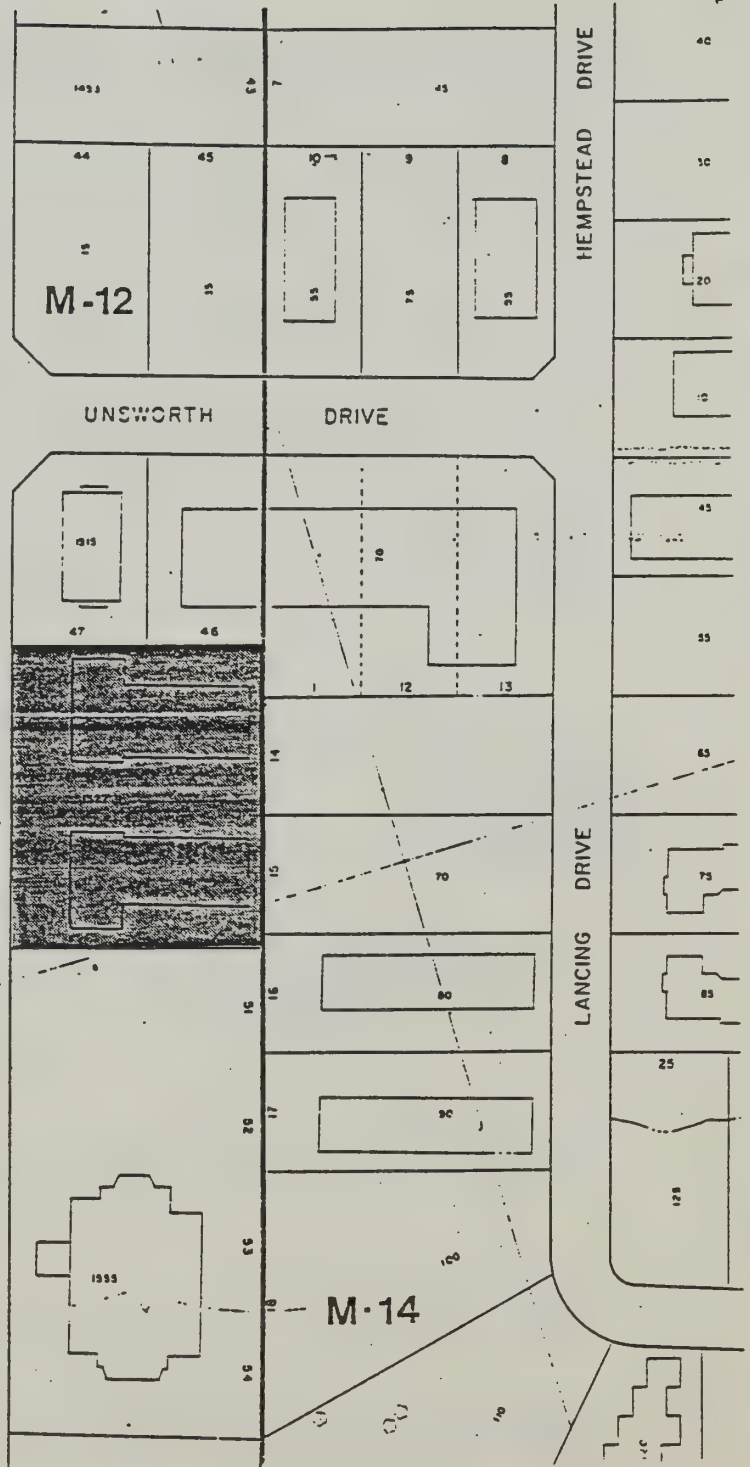
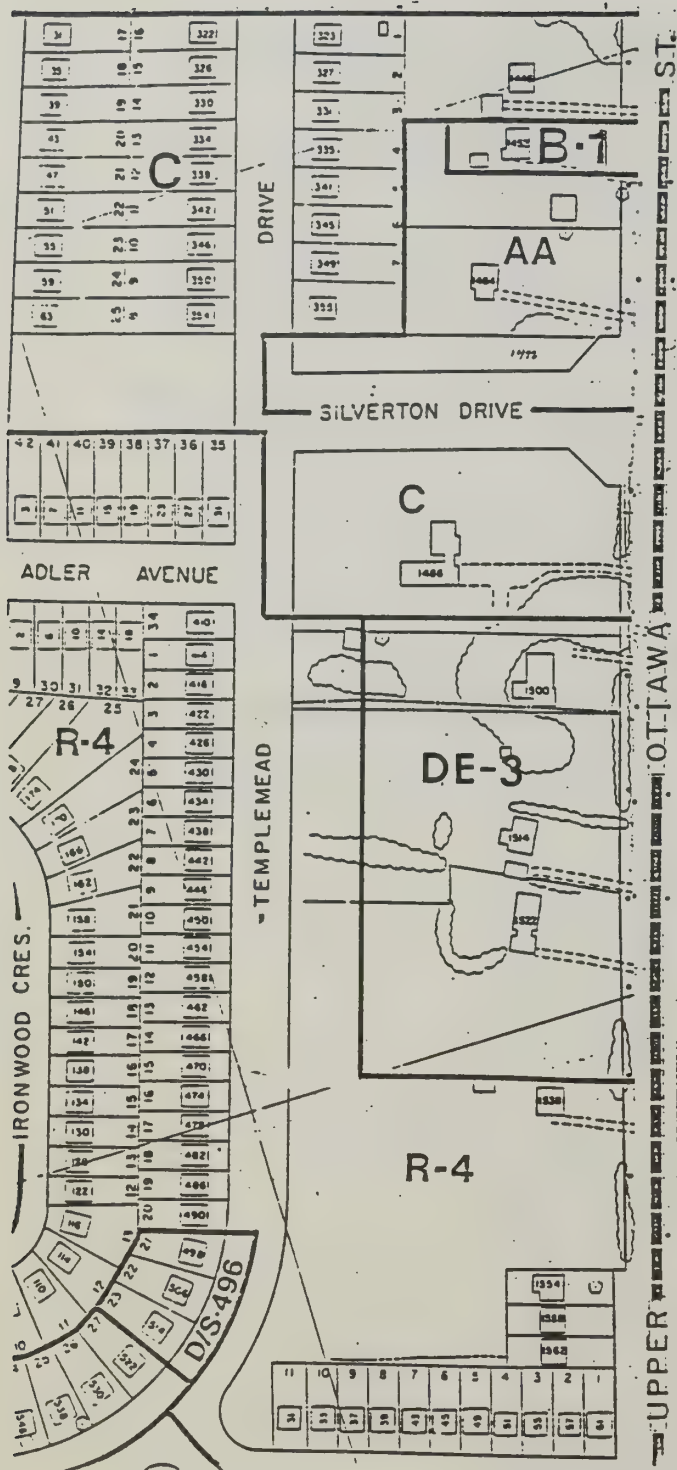
- 20. That the Chairman, or his designate, be authorized to attend the 1990 National Planning Conference of the American Planning Association to be held in Denver, Colorado on 1990 April 21-25.
- 21. That leave be granted to introduce the following Bills:
 - (a) Bill D-11 A By-law to amend By-law No. 87-312 as amended by By-law No. 88-170, By-law No. 89-95, By-law No. 89-217 and By-law No. 89-247 respecting Appointment of Building Inspectors pursuant to The Building Code Act, R.S.O. 1980, c.51.
 - (b) Bill D-12 A By-law to adopt Official Plan Amendment No. 83 respecting lands located south of the C.N.R. Railway and east of Centennial Parkway North, within the Lakely Neighbourhood.
 - (c) Bill D-13 A By-law to amend Zoning By-law No. 6593 respecting lands located south of the C.N. Railway tracks, east of Centennial Parkway North.
 - (d) Bill D-14 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 1066 Upper James Street and to repeal By-law No. 89-365.
 - (e) Bill D-15 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 16-20 Wellington Street North and 15-27 West Avenue North.

- (f) Bill D-16 A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 16-20 Wellington Street North and 15-27 West Avenue North.
- (g) Bill D-17 A By-law to designate land located at Municipal No. 96 James Street South as property of Historic and Architectural Value and Interest.
- (h) Bill D-18 A By-law to designate lands located at Municipal Nos. 72 and 74 George Street as property of Historic and Architectural Value and Interest.
- (i) Bill D-19 A By-law to expropriate lands that do not conform with by-laws passed under Section 34 of The Planning Act, S.O. 1983, Chapter I.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder
Secretary
1990 January 24th

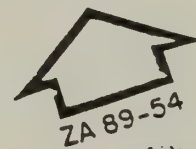


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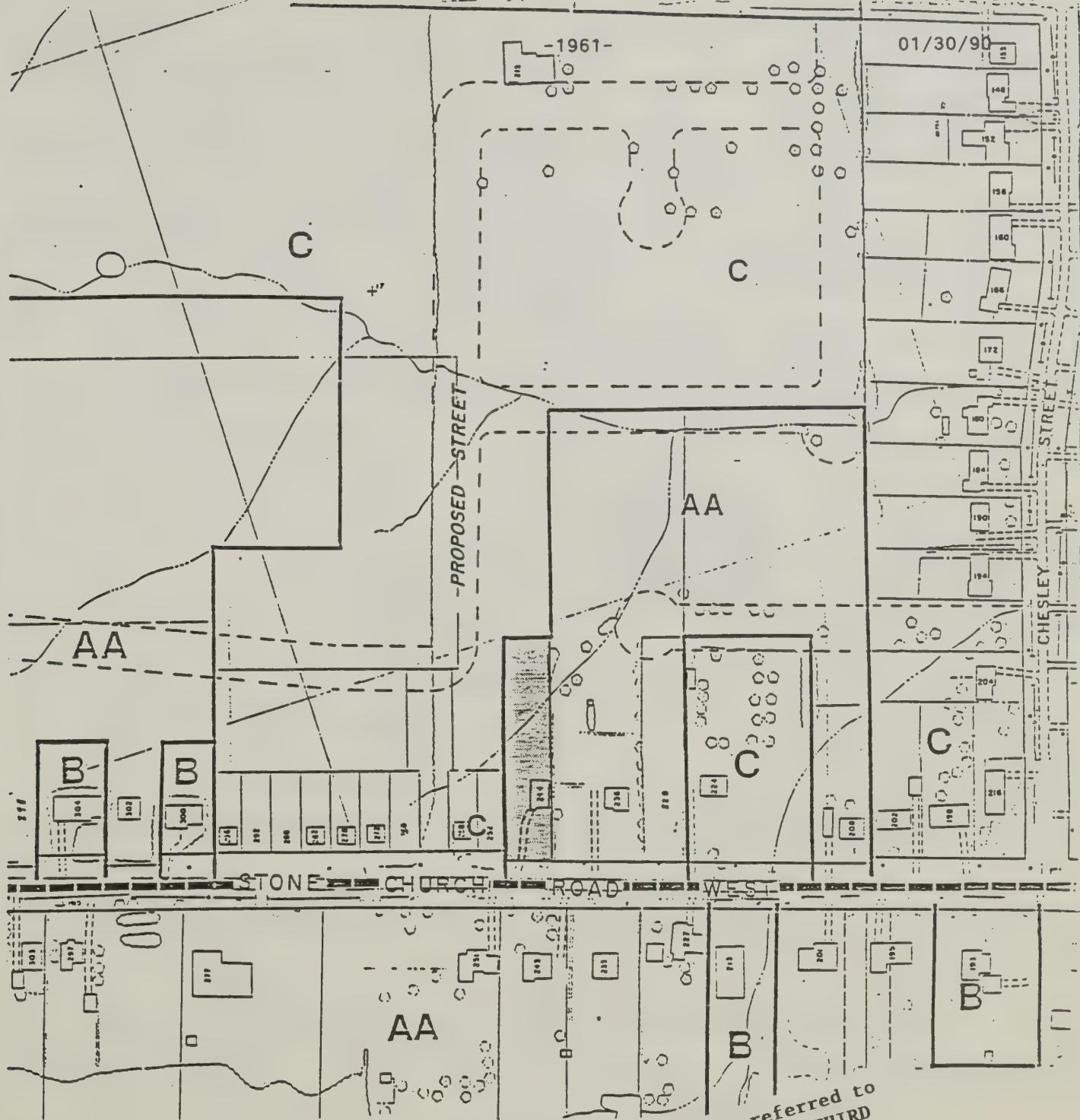


Site of the Application

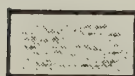
Appendix "A" as referred to
in Section 14 of the THIRD
Report for 1990 of the
Planning and Development
Committee



APPENDIX A



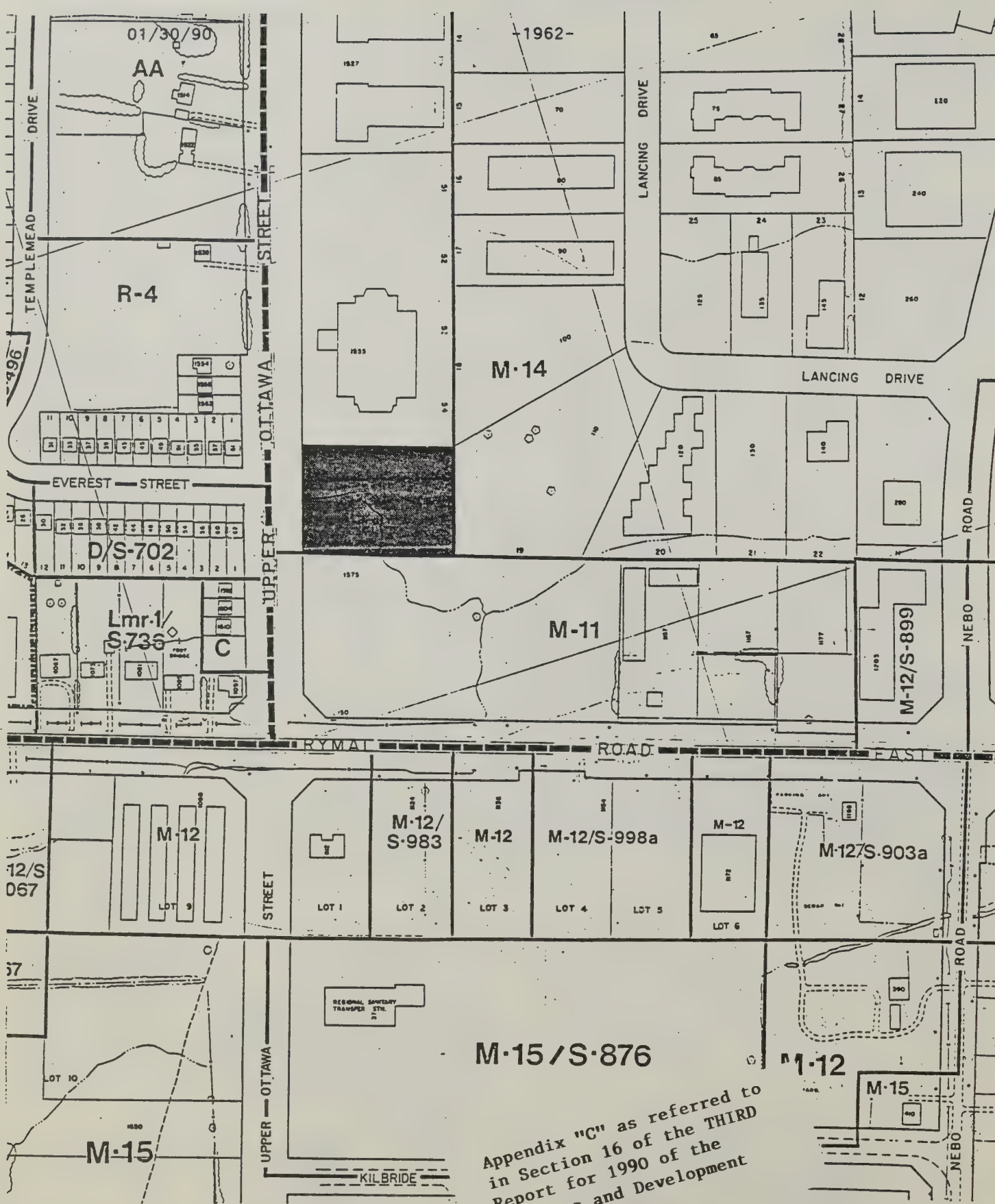
LEGEND



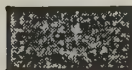
SITE OF THE APPLICATION

Appendix "B" as referred to
in Section 15 of the THIRD
Report for 1990 of the
Planning and Development
Committee



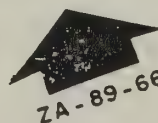


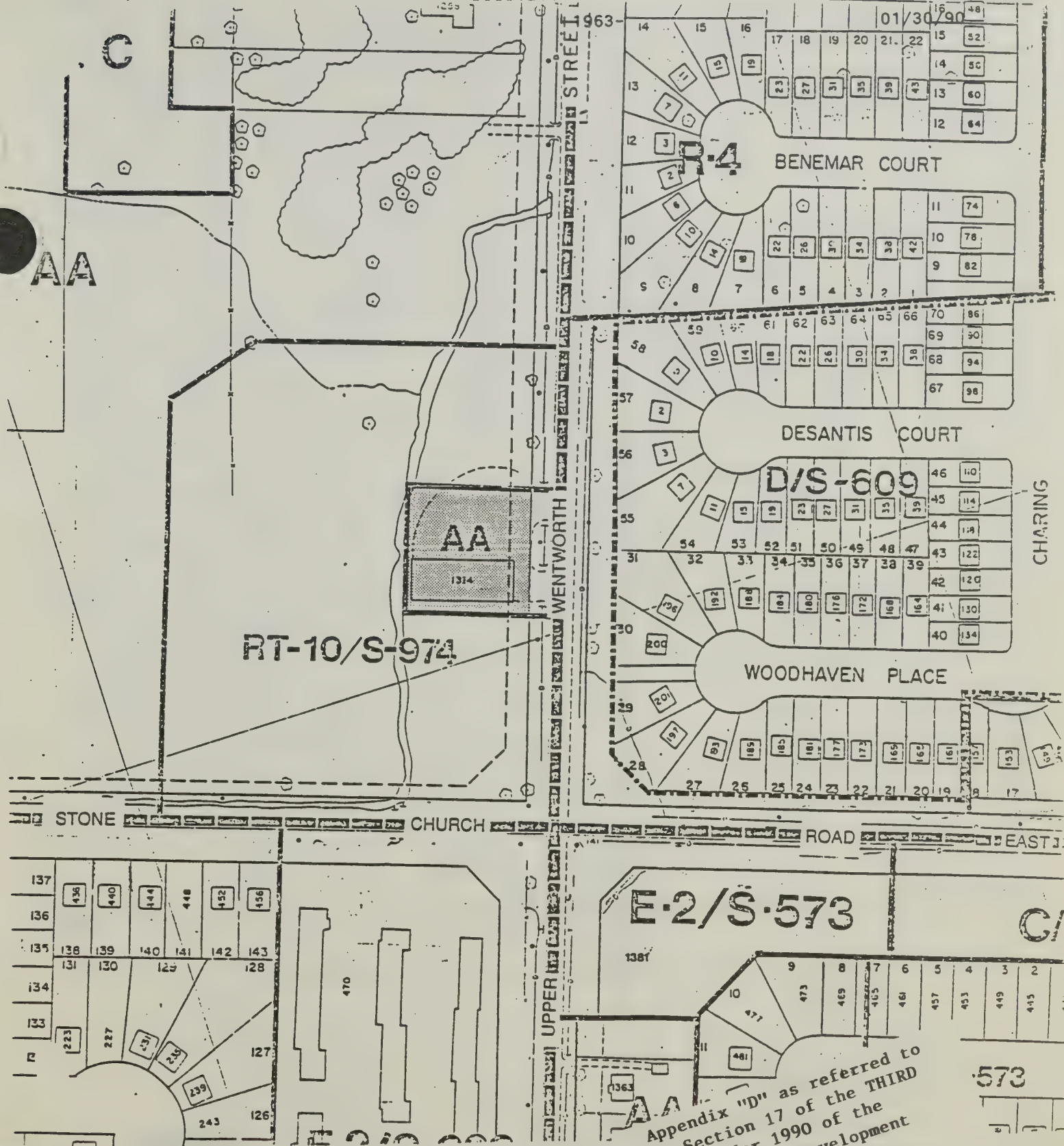
LEGEND



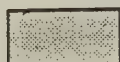
SITE OF THE APPLICATION

Appendix "C" as referred to
in Section 16 of the THIRD
Report for 1990 of the
Planning and Development
Committee



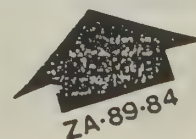


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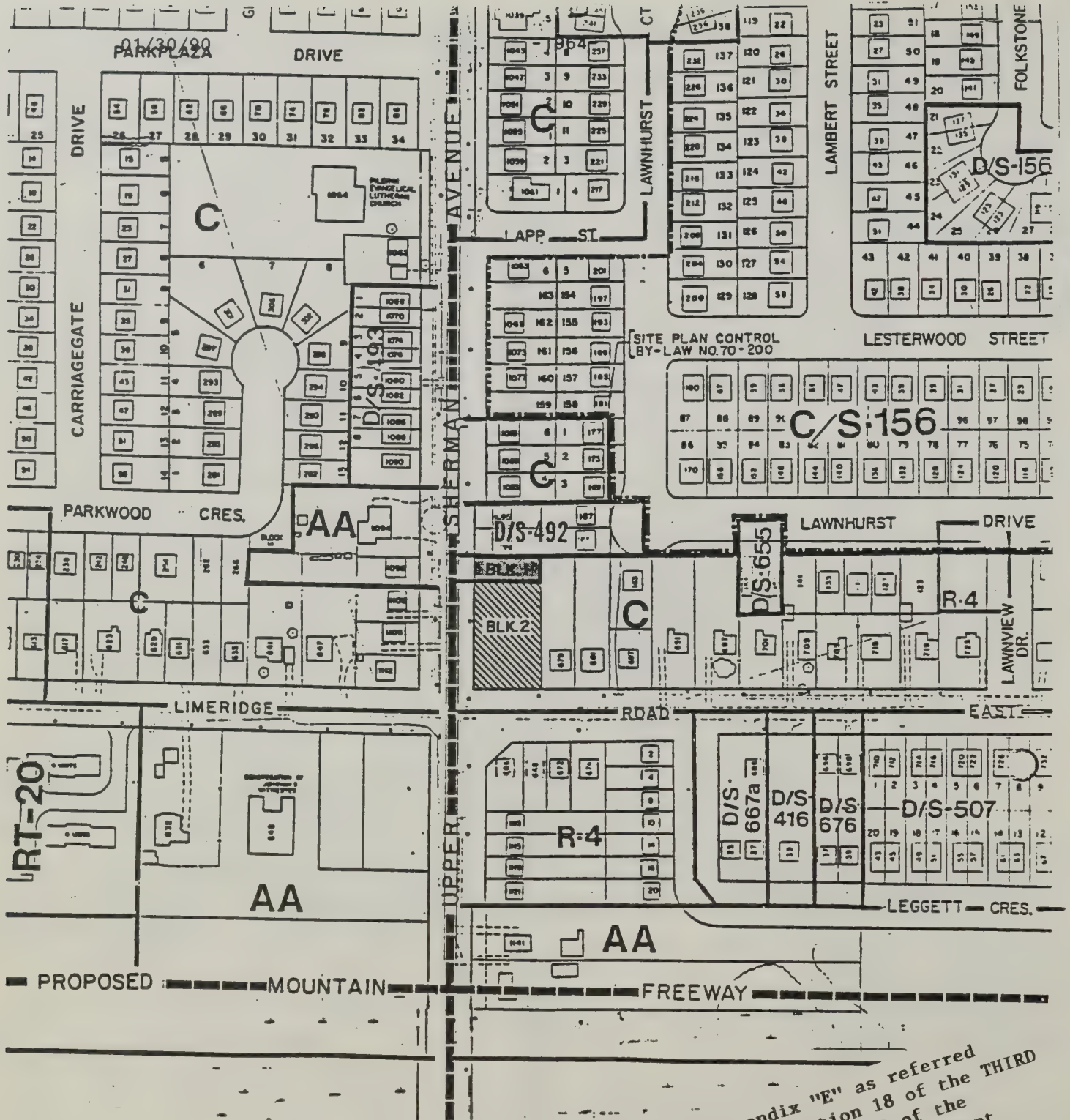


Site of the Application

Appendix "D" as referred to
in Section 17 of the THIRD
Report for 1990 of the
Planning and Development
Committee



APPENDIX A



LEGEND

PROPOSED CHANGE IN ZONING FROM:

BLOCK 1



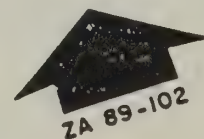
"AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT MODIFIED.

BLOCK 2



MODIFICATION TO THE "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

Appendix "E" as referred to in Section 18 of the THIRD Report for 1990 of the Planning and Development Committee



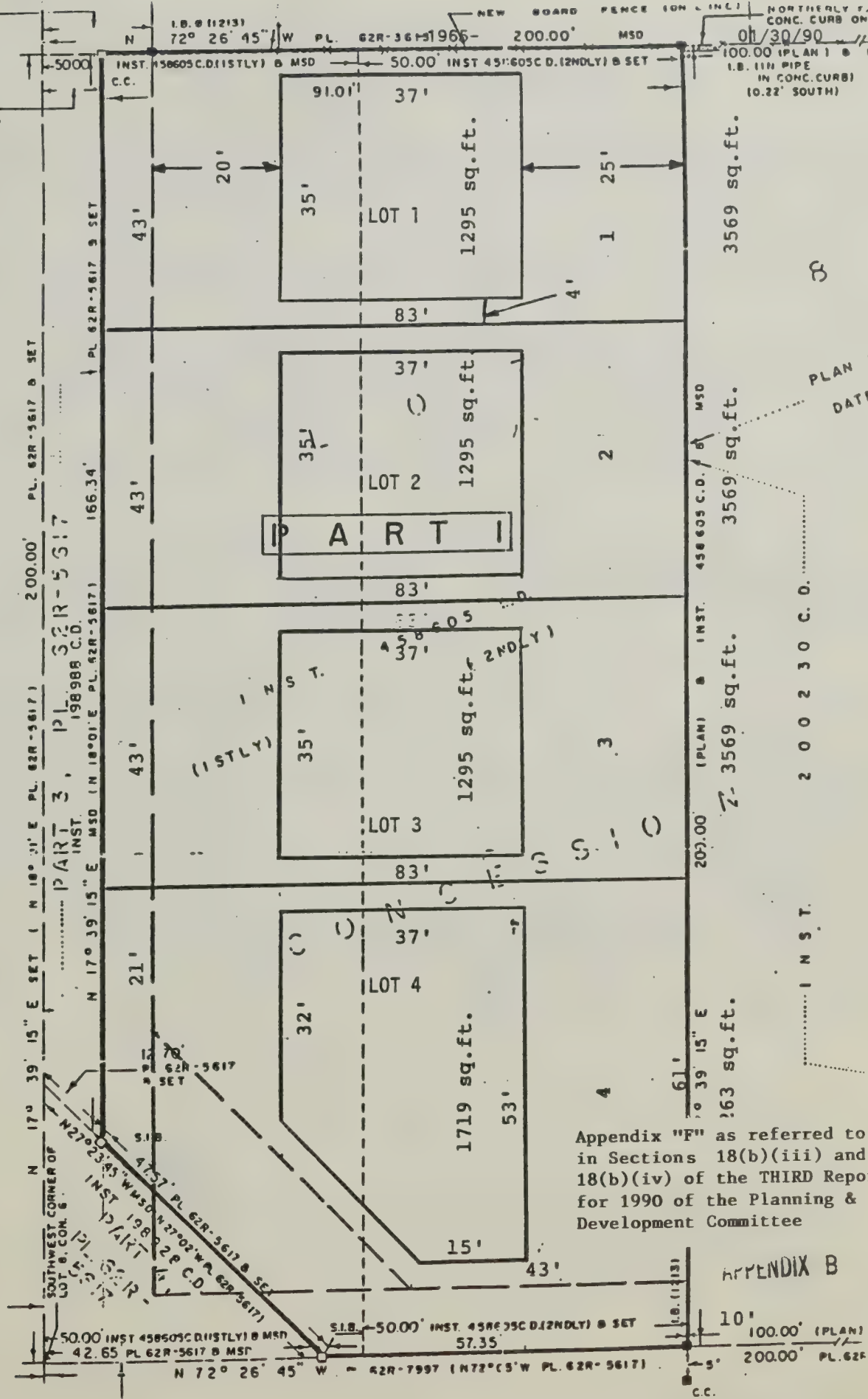
APPENDIX A

UPPIER

SHERMAN

AVENUE

(ORIGINAL ROAD ALLOWANCE BETWEEN LOTS A & B)



Appendix "F" as referred to in Sections 18(b)(iii) and 18(b)(iv) of the THIRD Report for 1990 of the Planning & Development Committee

APPENDIX B

PLAN
DATE

2 0 0 2 3 0 C. O.

1 N S T.

10' 100.00' (PLAN) 200.00' PL. 62R-5617 & SET

5' 200.00' PL. 62R-5617 & SET

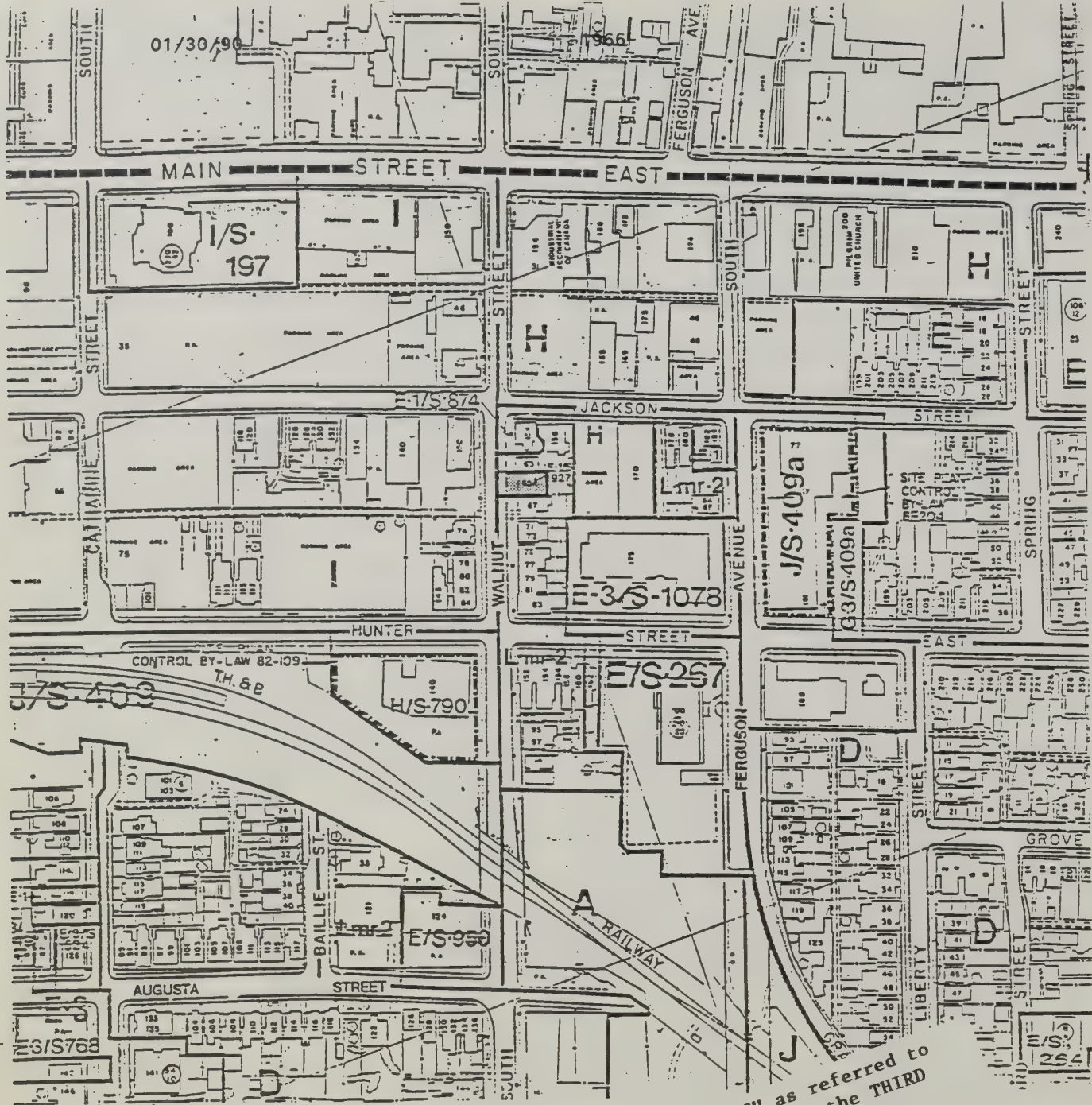
5' 200.00' PL. 62R-5617 & SET

5' 200.00' PL. 62R-5617 & SET

5' 200.00' PL. 62R-5617 & SET

5' 200.00' PL. 62R-5617 & SET

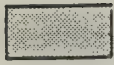
5' 200.00' PL. 62R-5617 & SET



Appendix "C" as referred to
in Section 19 of the THIRD
Report for 1990 of the
Planning & Development
Committee



Legend



Site of the Application

APPENDIX A

REPORT OF THE INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its TENTH Report for 1989 and respectfully recommends:

1. (a) That the Organization Chart revisions for the Information Systems Department attached herewith and marked **Schedule "A"**, be approved.

NOTE: There is a net reduction of one staff position after the reorganization and prior to any staffing included for consideration in the 1990 Budget.

- (b) That the following positions be eliminated as they become vacant: (the corresponding payroll centre is in parenthesis)

Data Control Clerk (City)
Supervisor of Central Microfilming (City)
Key Punch Operator (City)
Microfilm Technician (City)
Assistant Manager, Process Control (Region)
Systems Analyst (7, City and Region)

NOTE: Total staff positions to be eliminated through attrition: 12 (includes elimination of 3 job descriptions/titles)

- (c) That the following Information Systems positions be established as attrition/vacancies permit:

Microfilm and Image Processing Co-ordinator (City)
Supervisory, Application Development (Region)
Senior Systems Analyst (7, City and Region)
Support Services Technician (2, City)

NOTE: Total staff positions to be established: 11 (includes creation of 3 job descriptions/titles)

- (d) That the elimination of the position of Supervisor of Central Microfilming be subject to the approval of the leasing of replacement camera equipment. (Estimated value \$10 000./year)
- (e) That the position description of Junior Programmer be established in order that it may be used where appropriate as an "entry level position" and as part of a career path development program but not filled at this time.

- (f) That the total staff compliment of Senior Systems Analysts and Systems Analysts in the Business Systems Division be limited to a maximum of 10.
 - (g) That the total staff compliment of Analyst and Programmer positions in the Process Control Division be limited to a maximum of 5.
 - (h) That the Commissioner of Human Resources and the Director of Information Systems be authorized and directed to take the appropriate steps to ensure that employees affected by these organization changes are duly notified, retrained and reassigned as appropriate within the organization and are not injuriously affected by these changes.
 - (i) That the Commissioner of Human Resources be authorized to take the appropriate measures to implement the revised Organization Chart for Information Systems.
 - (j) That the Commissioner of Human Resources be authorized to take the appropriate measures to implement the revised Organization Chart for Information Systems.
 - (k) That this report be forwarded to the City of Hamilton Finance and Administration Committee for information.
 - (l) That this report be forwarded to the Region Finance and Personnel Committee for information.
2. That the tender submitted by Microage Computers, Hamilton, for the supply and delivery of computer equipment for the M.I.S.A. Project, in the amount of \$44 519.78, including all applicable taxes, being the lowest acceptable of two tenders received, be accepted.

Respectfully Submitted,

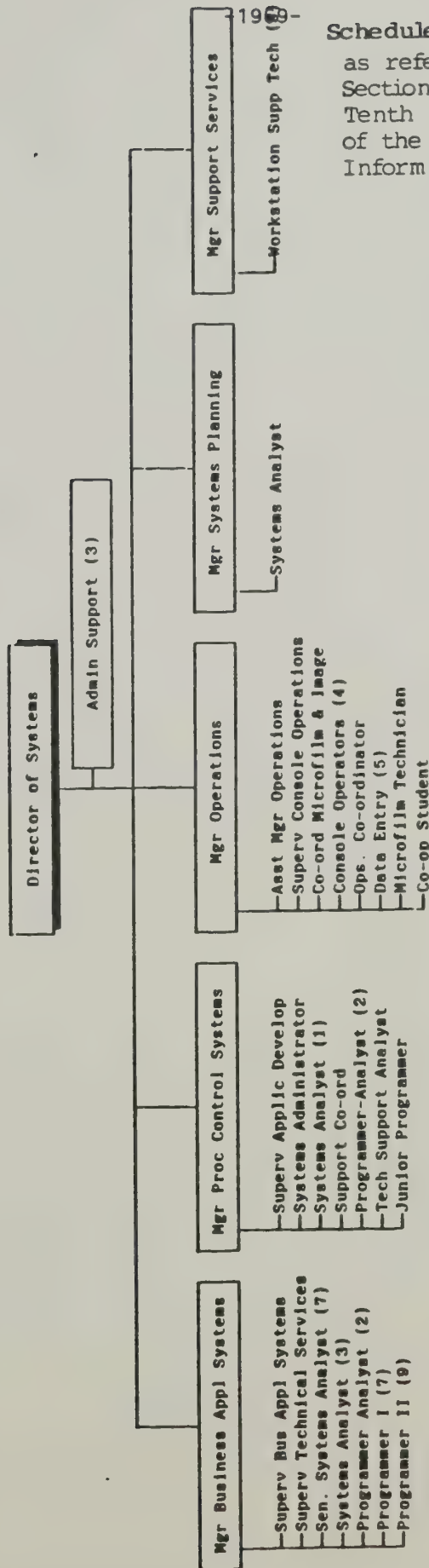
ALDERMAN J. GALLAGHER, CHAIRMAN
INFORMATION SYSTEMS COMMITTEE

John Thompson, Secretary
1989 December 21

mjlw

**INFORMATION SYSTEMS
Proposed Organization Chart**

- Incorporates Microfilming within Operations Division
- reduction of one via attrition
- rationalizes other resources



Schedule "A"

01/30/90

as referred to in
Section 1 (a) of the
Tenth Report
of the
Information Systems Committee

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 13, 1990
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson,
Gallagher, Ross, Murray.

ABSENT: Aldermen Agro and Merling (Vacation)

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Father Philip Sherlock, St. Margaret Mary Roman Catholic Church, led the Council in prayer.

* * * * *

The following presentation was made:

CHCH-TV for Community Pride Programme

* * * * *

Mr. George C. Baker, Chief, Hamilton Fire Department, subscribed to the Declaration for the Appointed Office of Fire Chief.

Mr. Joseph J. Schatz, Deputy City Clerk, subscribed to the Declaration for the Appointed Office of Deputy City Clerk.

* * * * *

The minutes of the meeting of January 30, 1990, were taken as read and approved.

* * * * *

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Mount Hamilton Christian Homes Inc., 1415 Upper Wellington Street, Hamilton, Ontario, for a change in zoning, property located at 249 Stone Church Road East, dated January 30, 1990.
2. Application from Hilliard Clark Harnden, 117 Holstein Drive, Ancaster, Ontario, and Helen Ann Anderson, 1620 Upper Gage Avenue, Hamilton, Ontario, for a change in zoning, properties located at Nos. 1610, 1614, 1620, 1626 Upper Gage Avenue, dated January 31, 1990.

3. Application from Morris Mercanti, 16 Nellida Crescent, Hamilton, Ontario, for a modification to the zoning, property located on the west side of Anchor Road, south of Stone Church Road East, dated January 31, 1990.
4. Application from I. Johnson, 1279 Upper Gage Avenue, Hamilton, Ontario, for a change in zoning, property located at 1279 Upper Gage Avenue, dated February 5, 1990.
5. Application from Matteo and Josephine Arnosti, 256 Ottawa Street South, Hamilton, Ontario, for a change in zoning, property located at 1461 Upper Gage Avenue, dated February 5, 1990.
6. Application from David John Armstrong, 83 Seymour Drive, Ancaster, Ontario, for a change in zoning, property located at the south-west corner of Limeridge Road East and Upper Sherman Avenue, dated February 8, 1990.
7. Letter from His Worship Mayor John Addison, Corporation of the Town of Dundas, Ontario, re Regionalizing Fire Services, dated February 2, 1990. (Referred to the Finance and Administration Committee).
8. Letter from Mr. Paul Cowell, dated January 11, 1990, resigning as a member of the H.E.C.F.I. Board. (Referred to the Finance and Administration Committee).

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that that Council move into Committee of the Whole to consider the following Reports, with Alderman Smith in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

(A) FINANCE AND ADMINISTRATION COMMITTEE - FOURTH REPORT.

Recorded vote on Section 15. (Re: Minority Language Rights
in our Community).

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Murray. - 13.

NAYS: Aldermen Gallagher, Ross. - 2. CARRIED.

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - SECOND REPORT.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT.

Alderman Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 8. His wife operates a store within the Ottawa Street B.I.A.

Alderman Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 10. His wife operates a store within the Ottawa Street B.I.A.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that Section 13 be amended by adding the following after the date "1989 July 25" in the second line:

"respecting Parts 2 and 3, Plan 62R-10547 - Upper Ottawa Street,". - CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that Section 14 be amended by adding the following after the date "1988 July 26" in the second line:

"respecting Anchor Road - Parts 3 and 4, Plan 62R-5200,". - CARRIED.

* * * * *

(E) CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-6,
B-12, B-13, B-14,
D-20, D-21, D-22, D-23, D-24, D-25, D-26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Smith in the chair.

A-6,
B-12, B-13, B-14,
D-20, D-21, D-22, D-23, D-24, D-25, D-26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

Consideration of the Bills (second reading)

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-6,
B-12, B-13, B-14,
D-20, D-21, D-22, D-23, D-24, D-25, D-26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

NOTICE OF MOTION

Alderman Drury gave notice that he would move the following Notice of Motion at the next regular meeting of Hamilton City Council:

"RESOLVED: that the Procedural By-law governing HECFI be amended to reduce the composition of Aldermen appointees from 7 to 4, plus the Mayor, and that the Procedural By-law also be amended to reflect the reduced complement and its relationship to quorum."

City Council adjourned at 8.30 o'clock, p.m.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its FOURTH Report for 1990 and respectfully recommends:

1. (a) That a purchase order be issued to Pigott Construction Limited, Hamilton, in the amount of \$99 000 to provide all labour and materials to repair the Pedestrian Bridge, King Street West, Hamilton, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of four (4) tenders received. Funds provided from the Reserve of Uninsured Losses, pending reimbursements from the insurance companies.

2. (a) That approval be given to the allocation of funds, in accordance with the policy as approved by City Council, and amended July 18, 1989, for the purchase and installation of playlot equipment for the following project:

McQuesten Park in the Rushdale Neighbourhood	\$5 500
----------------------------------------------	---------

- (b) That the purchase and installation of metal playlot equipment in the gross amount of \$5 500 for this park, be financed from the Reserve for Acquisition of Properties under the Planning Act (5% Parks Fund).
3. That permission be granted to the Canadian Polish Congress, Hamilton District, to fly their national flag and to use the City Hall Council Chambers for a proclamation ceremony on Saturday, 1990 May 5 from 10:00 o'clock a.m. to approximately 1:00 o'clock p.m.
 4. That approval be given to the action taken by the Finance and Administration Committee in approving the request of the Lithuanian Canadian Community for permission to fly the Lithuanian flag at City Hall from 1990 February 11 to February 16 in commemoration of the Independence of Lithuania.

5. That the request of the Canadian Red Cross Society for permission to fly the Canadian Red Cross Society flag at City Hall during the month of March, 1990 in recognition of Red Cross Month, be approved.
6. That the Appointments To and Terminations from Permanent positions with the Corporation to January 30, 1990, attached hereto and marked Appendix "A", be approved.
7. That the Summary Report attached hereto as Appendix "B" containing a listing and amounts of approved Settlement of Claims, be received.
8. That a policy be adopted to prohibit the holding of rodeos and wild west shows in all City-owned lands and facilities including but not limited to Copps Coliseum, Mountain Arena and the Convention Centre.
9. (a) That the City enter into a five (5) year lease agreement with the Regional Municipality of Hamilton-Wentworth for the use of Regional lands known as 77/79 Mary Street for civic parking purposes, to be managed by the Parking Authority of the City of Hamilton. A nominal rental fee of \$1.00 plus taxes per year (\$6 055 for 1989) is to be charged to Account No. PA 53205 91372.

The lease is to be renewed at the end of the five (5) year period providing the lands are not required for Regional purposes.

(b) That the Mayor and City Clerk be authorized to execute a lease agreement satisfactory to the City Solicitor.

NOTE: The lease will include provisions for Mr. George Novotny, the owner of 75 Mary Street, to have access for his tenants at the rear of his property over the driveway portion of the parking lot being leased herein.

In adopting Item 23 of the 18th Report of the Engineering Services Committee, Regional Council on November 21, 1989 approved the leasing of their property at 77/79 Mary Street to the City of Hamilton to be used for civic parking purposes and managed by the Parking Authority of the City of Hamilton.

The lot will be used for permit and transient parking in conjunction with the existing civic parking lot immediately to the north on the south west corner of Wilson and Mary Streets.

10. (a) That the City of Hamilton purchase a 1/4 page ad in the special issue of the Hamilton & District Stroke Recovery Association's "Facts and Information Book All About Stroke & Recovery" at a cost of \$225.
- (b) That the cost of this advertisement be financed from Account No. Ch 56302 12000, Advertising City Clerk.
11. (a) That an amount of \$5 650 be made available to assist in defraying the costs associated with the co-hosting of the 1990 Ontario Business Improvement Area Association Conference to be held in Hamilton 1990 April 29 to May 3.
- (b) That this expenditure be funded from the Hosting of Conferences with Municipal Subject Content, Account No. CH 55307 80040.

NOTE: On 1988 March 8 City Council authorized the Director of Community Development to extend an invitation to the Organizers of the 1989 National O.B.I.A.A. Convention to hold a future Conference in Hamilton. On 1989 February 22 the Department of Community Development was advised that Hamilton had been approved to host the 1990 O.B.I.A.A. Conference.

As part of the duties of a hosting, the City will be responsible for entertaining the delegates. The Department of Community Development has prepared a program, the total cost of which is \$9 750, with a net cost to the City of \$5 650.

12. That the following resolution from the Town of Milton regarding the position of the Canadian Bar Association, Ontario Branch, attached hereto as Appendix "C", with respect to the proposed Ontario Motorist Protection Plan (no fault), be endorsed.

THAT the Town of Milton endorses the position of the Canadian Bar Association, Ontario Branch, with respect to the proposed Ontario Motorist Protection Plan;

AND THAT a copy of the summary of their brief and this resolution be circulated to all Ontario municipalities with population of over 25,000, requesting their endorsement and notification to the Town of Milton and the Association of Municipalities of Ontario;

AND FURTHER THAT a copy of this Resolution be forwarded to Mr. Ian Kirby and the local Members of Parliament.

13. That the following resolution from the City of York on the subject of Unconditional Grants be endorsed.

WHEREAS a statement to the Legislature by the Honourable John Sweeney, Minister of Municipal Affairs on 1990 Unconditional Grants did not guarantee an increase to each municipality; and

WHEREAS every municipality has been subject to severe inflationary pressures in the past few years and which is expected to continue in the foreseeable future; and

WHEREAS a zero increase in the Unconditional Grant has resulted in the full cost of inflationary pressure on services having to be passed on to the taxpayer in the form of increased taxes; and

WHEREAS some of the new costs being incurred by municipalities are a direct result of Provincial policies; and

WHEREAS those municipalities with a lower than average assessment (eligible for a R.E.G. grant) usually have a considerable number of ratepayers with lower than average incomes who can least afford tax increases;

THEREFORE BE IT RESOLVED THAT the Minister of Municipal Affairs reconsider his proposal for the distribution of the 1990 Unconditional Grant so that all municipalities will become eligible for an increase to assist in off-setting increased taxes to their taxpayers as a result of inflation:

AND FURTHER, that this resolution be forwarded to Ontario Municipalities with populations of 25,000 and over for endorsement.

14. (a) That the Province of Ontario be requested to provide a Revenue Guarantee for the City of Hamilton Unconditional Grants equivalent to the 1989 Grants, plus the cost of Provincially-mandated programs where the City has no option but to provide these programs.
- (b) That this Revenue Guarantee continue until such time as the City again earns grants under the applicable formula, and be indexed annually, by an amount equivalent to 50% of the relevant inflation index for each year.

- * 15. That City Council reaffirm its commitment to respecting minority language rights in our community.

* *Recorded vote, see page 1971*

16. For the information of the Members of City Council, the Finance and Administration Committee at its meeting held 1990 February 8 approved that in order to conform with the new committee structure which involved the consolidation of four committees into the Finance and Administration Committee, and for the purpose of maintaining consistency and continuity, the following sub-committees and their memberships whose duties and responsibilities have been assumed by the Finance and Administration Committee continue to function for the remainder of this term of City Council:

Taxi Advisory Committee
Hamilton Farmer's Market Sub-Committee
Status of Women Sub-Committee
French Sub-Committee
Handbill Sub-Committee
Civic Awards Sub-Committee
Comprehensive Audit Sub-Committee
Ad Hoc Committee on Downtown Parking
A.M.O. Bid Committee

17. Members of City Council are advised that the Finance and Administration Committee at its meeting held 1990 February 8 approved of the following appointments to the Hamilton Municipal Retirement Fund (HMRF) Sub-Committee:

Alderman B. Hinkley
Alderman D. Ross
Mayor R. M. Morrow
Alderman T. Jackson

Mr. Keith Avery, City Clerk, has been appointed to fill the vacancy on the retirement of the former City Clerk, Mr. E. A. Simpson.

18. That leave be granted to introduce the following Bill:

(a) Bill A-6 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson
Secretary
1990 February 8
/bc

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Ellen Arce	Taxation Clerk IV (E-4)	Treasury	Replacing Ms. K. Grywachski - transferred	\$22,891.44 to \$24,834.64	\$22,891.44 per annum (1 of 3)	11/12/89
Mr. Raymond Baglione	Caretaker (B-2)	Property	Replacing Mr. J. Allison - deceased	\$22,129.64 to \$23,871.64	\$23,871.64 per annum (2 of 2)	25/10/89
Mr. Douglas J. Farquhar	Manager of Administration (H)	Public Works	New Position Approved by City Council 23/03/89	\$51,399.04 to \$61,171.24	\$56,763.12 per annum (4 of 5)	22/01/90
Mr. Bill G. Ferguson	Traffic Technologist (A-14)	Traffic	Additional Staff as approved in 1989 Budget	\$33,390.24 to \$39,761.28	\$39,761.28 per annum (5 of 5)	29/12/89
Mr. Jack Holmes	Caretaker (B-2)	Property	Replacing Mr. J. Deeley - promoted	\$22,129.64 to \$23,871.64	\$23,871.64 per annum (2 of 2)	01/11/88
Mr. Gil Mazzetti	Systems Analyst (A-18)	Information Systems	Replacing Mr. F. Edwards - promoted	\$46,888.96 to \$54,680.84	\$49,687.56 per annum (3 of 5)	15/12/89
Ms. Linda J. Cooper	Accounts Receivable/ Payable Clerk (A-8)	Information Systems	Replacing Ms. J. Adamson - resigned	\$27,142.96 to \$32,976.84	\$27,142.96 per annum (1 of 5)	22/01/90
Mr. Walter Chamberlain	Caretaker (B-2)	Property	Replacing Mr. J.W. O'Toole - deceased	\$22,129.64 to \$23,871.64	\$22,129.64 per annum (1 of 2)	04/11/89

Prepared 30/01/90

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Christine Hey	Counter Clerk (A-3)	Building	Replacing Ms. N. Gould - promoted	\$21,739.64 to \$24,096.36	\$21,739.64 per annum (1 of 4)	15/01/90
Ms. Joan M. Kelp	Typist Clerk II (E-2)	Treasury	Replacing Ms. J. Nevin - resigned	\$18,718.44 to \$20,165.60	\$18,718.44 per annum (1 of 3)	15/01/90
Mr. Colin D. Kerr	Budget Analyst (L)	Treasury	Additional Staff as approved in 1989 Budget	\$38,653.68 to \$45,517.16	\$38,653.68 per annum (1 of 5)	29/01/90
Mr. James R. McCallum	Platoon Chief (C-12)	Fire	Replacing Mr. L. E. Stevens - retired	\$60,767.08	\$60,767.08 per annum (1 of 1)	14/01/90
Mr. Joseph J. Schatz	Deputy Clerk (P)	City Clerk's	Replacing Mr. K. Avery - promoted	\$59,967.44 to \$70,564.00	\$65,024.44 per annum (3 of 5)	01/01/90
Ms. Audrey M. Senkus	Legal Assistant (O)	City Solicitor's	New Position approved by City Council 29/06/89	\$30,224.48 to \$35,522.76	\$34,077.68 per annum (4 of 5)	18/12/89
Mr. Mahendra N. Shah	Project Manager (K)	Property	Replacing Mr. S. DeJong - deceased	\$42,145.48 to \$49,611.12	\$47,685.04 per annum (4 of 5)	28/12/89
Mr. John D. Thompson	Manager, Legislative Division (H)	City Clerk's	Replacing Mr. J.J. Schatz - promoted	\$51,899.64 to \$61,171.24	\$51,899.64 per annum (1 of 5)	01/01/90

Prepared 30/01/90

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Bruce C. Wilson	Caretaker (B-2)	Property	Replacing Mr. V. Cosentino - transferred	\$22,129.64 to \$23,871.64	\$23,871.64 per annum (2 of 2)	02/01/90

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. J. Gaunt	Program Organizer	Culture & Recreation	Layoff	6 months	23/01/90
Mr. G. Bowring	Building Inspector	Building	Retired	26 years, 7 months	31/01/90
Ms. A. MacKay	Junior Accounts Payable Clerk	Treasury	Resigned	4 years, 2 months	29/01/90
Mr. R. Goodea	Pro Manager	Culture & Recreation	Resigned	25 years	31/12/89
Mr. R. C. Prowse	Legislative Assistant I	Clerk's	Resigned	16 years	18/12/89
Ms. L. Wilson	Supervisor of Payroll	Treasury	Resigned	5 years, 9 months	12/01/90

Prepared 30/01/90

FINANCE COMMITTEESUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEPENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Tressella Truby	City of Hamilton	Trip and Fall 1985 May 30	\$ 4 500.00
Anthony Christison	City of Hamilton	Motor Vehicle Accident 1987 June 26	\$ 7 400.00

SUMMARY OF ONTARIO MOTORIST PROTECTION PLAN

The purpose of the new Ontario Motorist Protection Plan is to change the resolution of claims for personal injury and property damage claims arising out of motor vehicle accidents in the Province of Ontario. The Plan is intended to become the law of the province as of March 1st, 1990.

Under the new Ontario Motorist Protection Plan, only those people who have been involved in a car accident and who have been fatally injured, seriously disfigured or sustain a "permanent, serious impairment of an important bodily function caused by continuing injury which is physical in nature" will still be able to claim for pain and suffering. The first two categories are self-evident. The third category ("permanent, serious impairment of an important bodily function ...") in essence means that in order to maintain the right to claim for pain and suffering and all income loss, the injuries sustained by the accident victim must be physical, rather than emotional, and at the same time, be both permanent and serious.

As only one example, an injury which is serious (e.g. a broken leg) but not permanent does not meet the test, and the accident victim has no right to claim for pain and suffering. The government's own figures indicate that the foregoing criteria will have the effect of eliminating the right to claim for any pain and suffering and for all of their legitimate loss of income for 90% - 95% of all accident victims.

For those accident victims who do meet the above test (the remaining 5% - 10%), they will still be able to sue for pain and suffering and all of their legitimate loss of income. Given the wording of the test, this right will be confined to surviving family members of fatally injured victims and accident victims who have sustained catastrophic injuries. To those accident victims who do meet the test, the existing rule relating to responsibility for an accident will still apply.

For those 90% - 95% of accident victims who sustain injury but who do not meet the criteria above, the only compensation they will receive is by way of income replacement. If an accident victim sustains an injury which substantially prevents that victim from doing his or her job, then during the period of disability only, the victim will receive the lesser of \$450.00 per week or 80% of their income. The individuals who sustain legitimate injuries but are able to carry on at work will receive nothing. It should be remembered that those innocent accident victims who sustain injuries and who have lost income in excess of \$450.00 per week will have no right to recover their excess actual loss. Individuals who have no income (e.g. homemakers and students) will receive \$185.00 per week, but only during the period when they are prevented from engaging in their normal activity. Perhaps one of the most heinous aspects of this proposed legislation is that children under the age of 16 who

do not meet the criteria of catastrophic injury, will receive nothing for their pain and suffering. To add insult to injury, parents who are obliged to remain off work to care for their injured children will receive nothing for any wages that they may have lost.

The Government of Ontario appears to have introduced its Ontario Motorist Protection Plan in response to political pressure about increasing automobile insurance rates. That is, of course, a concern which most people share. During the Summer of 1989, the government, through the Ontario Automobile Insurance Board, conducted hearings in order to examine various automobile insurance compensation schemes, including one system (i.e. that which exists in the State of Michigan) similar to the plan which it has now introduced. The purpose of the Board's enquiry was to determine whether there were other automobile insurance compensation schemes which would reduce the rate of automobile insurance premium increases which would otherwise be expected in this province with existing tort law. After examining the experience in those other jurisdictions, the Board itself came to the conclusion that there was no proof that price increases in automobile insurance were more moderate in those jurisdictions which had a threshold plan than in the traditional tort law states. Accordingly, the plan which the government proposed does nothing to solve the ever increasing spiral of the cost of automobile insurance.

Indeed, the government's own figures indicate that in the first year of its operation, automobile insurance rates are expected to increase by 8%. In subsequent years, rates are expected to climb as they now do. This is only the "up front" cost. In addition, as a result of agreements made with the automobile insurers, those insurers will now be relieved of the obligation of remitting approximately \$143,000,000.00 per year to the government. In addition, municipalities are presently able to bring claims to recover the cost of payments which have been made on their behalf by the Worker's Compensation Board arising out of motor vehicle accidents involving their employees. That right will now be lost.

The net effect of all of this is that tax and other government revenues approaching \$200,000,000.00 will now have to be obtained from other sources (e.g. income, sales and property taxes).

They are many criticisms which can be made of the proposed Ontario Motorist Protection Plan. However, perhaps the four most important criticisms are as follows:

- I. The fundamental legal right of an innocent motor vehicle accident victim to obtain full compensation for his or her pain and suffering and loss of income is taken away.

Page 3

II. In turn, the innocent accident victim will, in many cases, receive little or nothing under the government's proposed Schedule of Benefits.

III. It is accepted that the ever mounting cost of automobile insurance is a legitimate concern and that the amount of money which is paid for automobile insurance determines the amount that is available in payment of claims. Given the limited resources available for payment of claims, it is preferred that this money go into the hands of innocent accident victims, rather than those who caused the accident.

IV. There is no rational basis for introducing a new system of automobile accident compensation, which provides less protection to innocent accident victims, when all evidence points to the fact that the proposed plan will result in an immediate increase in the cost of insurance premiums and tax burden and no long term decrease in the cost of insurance.

Fortunately, we live in a democracy. If you agree that the government's proposed Ontario Motorist Protection Plan is ill conceived, you can express your concern by telephoning or writing your local MPP.

If you would like to receive more information about the Ontario Motorist Protection Plan, you can do so by contacting the Canadian Bar Association - Ontario at Suite 1000, 120 Adelaide Street West, Toronto, Ontario, M5H 1T1.

This summary prepared by the Insurance Committee for the Canadian Bar Association - Ontario.

*DM

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1990 and respectfully recommends:

1. (a) That the City Solicitor be directed to prepare a By-law for the stopping up, closing and sale of the portions of two alleys in the block bounded by King William Street, King Street East, Walnut Street North and Ferguson Avenue North;
- (b) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980;
- (c) That the Director of Property be directed to proceed with the disposition of the said lands to the abutting owners;
- (d) That the Regional Surveyor register a reference plan under the Registry Act, to delineate the manner in which the closed alley is to be distributed to the abutting owner;
- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and
- (f) That the City Solicitor make application to the Ministry of Housing under Section 443 (8) of the Municipal Act for approval of the By-law.
2. That an Offer to Purchase executed by Francesco Loiero, Director of 672385 Ontario Inc., on December 8, 1989 and scheduled for closing on or before March 29, 1990 for the purchase of a one foot reserve along the easterly limit of Templemead Drive, be approved and completed.

NOTE: The subject property is a one foot strip of land along the easterly limit of Templemead Drive, shown as Parts 17-31 inclusive on Plan 62R-10632, containing a total area of 46.45 square metres (500.05 square feet). The purchase price of \$33 307 is to be credited to Account No. CH 4X501 00107 (Services through unsubdivided land). A certified deposit cheque in the amount of \$3 330 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that this Offer to Purchase is conditional upon the Purchaser paying for all City and Regional costs and levies for services attributable to one-half of Templemead Drive abutting Parts 17-31, Plan 62R-10632.

The above condition to be satisfied on or before the closing date of March 29, 1990.

In the event the above conditions are not satisfied by the closing date, then this Offer to Purchase shall be null and void and the Purchaser's deposit shall be returned in full without interest or penalty.

3. (a) That the City's share of the cost of curbs, sidewalks and final roads for "Modified Subdivision Agreement - Courtland Avenue and Stone Church Road West" be increased by \$3 700 to \$83 152; and
- (b) That the Finance and Administration Committee be requested to recommend the source of funding for these additional costs.

NOTE: The additional funds are required for payment based on the successful contractor's unit prices.

4. That the City Solicitor be authorized and directed to prepare a By-law to incorporate certain City lands into various streets, as described in Schedule "A" appended hereto.
5. That the applications for Inadvertent Encroachment Agreements as outlined on Schedule "B", appended hereto, be approved during the pleasure of Council provided:
 - (a) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
 - (c) That a first year fee and a subsequent annual fee as set out in Schedule "B" be charged for this privilege.

6. (a) That the existing school bus loading zone on the east side of Hummingbird Lane which commences at a point 542 feet south of Bobolink Road and extends to a point 80 feet southerly be extended such that the regulation commences at a point 502 feet south of Bobolink Road and extends to a point 120 feet southerly therefrom; and

 (b) That City Traffic By-law 89-72 be amended accordingly.

7. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first five applicants residing in the apartment building at No. 849 Concession Street.

8. (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the north side of Gertrude Street commencing at a point 587 feet west of Depew Street and extending to a point 28 feet westerly, be extended such that the regulation commences at a point 615 feet west of Depew Street and extends to a point 26 feet westerly therefrom; and

 (b) That City Traffic By-law 89-72 be amended accordingly.

9. (a) That a "Permit Parking" regulation be implemented on the east side of Mary Street commencing 91 feet south of Simcoe Street East and extending to a point 23 feet southerly therefrom; and

 (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Domingos Darocha, 382 Mary Street; and

 (c) That City Traffic By-law 89-72 be amended accordingly.

10. That City Traffic By-law 89-72 be amended to provide for the following:

 (a) That a "No Parking, 8:00 a.m. to 4:00 p.m. Monday to Friday" regulation be implemented on the west side of Hummingbird Lane between Skylark Drive and Bobolink Road.

- (b)
 - i. That an "Alternate Side Parking" regulation be implemented on Rideau Crescent between Moxley Drive and the west end, such that parking is prohibited on the north side of the street during the months of December, January, February and March and from the 1st to 15th of April, May, June, July, August, September, October and November; and on the south side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
 - ii. That in combination with the "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on both sides of Rideau Crescent between Moxley Drive and the west end.
 - (c) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Aikman Avenue commencing 207 feet east of Wentworth Street South and extending to a point 75 feet easterly therefrom be extended such that it commences at a point 142 feet east of Wentworth Street South and extends to a point 140 feet easterly therefrom.
 - (d) That the existing "No Parking, 8:00 a.m. to 4:00 p.m. Monday to Friday" regulation on the south side of Roxborough Avenue between Graham and Houghton Avenues be shortened, such that the regulation commences at Graham Avenue and extends to a point 96 feet easterly therefrom.
 - (e) That the existing "Permit Parking" regulation on the east side of Locke Street which commences 80 feet north of Napier Street and extends to a point 152 feet northerly therefrom be shortened such that the regulation commences 80 feet north of Napier and extends to a point 102 feet northerly therefrom.
 - (f) That a "One Hour Parking Time Limit", to be in effect 24 hours a day, Monday to Friday, be implemented on the south side of Strachan Street East from John Street North to a point 141 feet westerly therefrom.
 - (g) That a stopping prohibition be implemented on the north side of McElroy Road East between Upper Wellington Street and a point 55 feet westerly therefrom.
 - (h) That the existing 99 foot "No Stopping" regulation on the east side of Princeton Drive, south of Morningside Drive, be extended such that the regulation extends to a point 118 feet south of Morningside Drive.
11. That the Chairman of his designate be authorized to attend the Air and Waste Management Association Conference on April 22-24, 1990, Skyline Hotel, Toronto, Ontario.

12. That leave be granted to introduce the following Bills:

- (a) B-12 By-law to Incorporate Part 3 and the easterly 58.55m of Part 2, Plan 62R-9377 into Royalvista Drive.
- (b) B-13 By-law to Amend By-law No. 89-72 to Regulate Traffic.
- (c) B-14 By-law to Amend By-law No. 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

J. J. Schatz,
Acting Secretary

ALDERMAN D. CHRISTOPHERSON, ACTING CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1990 February 05

/lp

SCHEDULE "A"

02/13/90

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Greenhill Avenue	Part of Lots 27 & 28, Concession 4, (formerly Saltfleet Twp.) designated as Part 2, Exprop. Plan registered as #223432LT	(NIL)	To extend Greenhill Avenue southerly, south of Plan 62M-375	S702-27
Queen Victoria Drive	Part of Block "AX", Plan M-192, designated as Part 1, Plan 62R-10839	(NIL)	To provide access & hook-up between Queen Victoria Drive (as established by By-Law No. 83-245) & Queen Victoria Drive, Plan 62M-192	S716-01
Quaker Crescent	Part of Block "AX", Plan M-192, designated as Part 2, Plan 62R-10839	(NIL)	To provide access from Part 1, Plan 62R-10365 to Quaker Crescent, Plan 62M-192	S716-01
Limeridge Road	Part of Lot 11, Concession 7, (formerly Twp. of Barton) designated as Part 3, Plan 62R-8963	(NIL)	To provide access to and from Limeridge Road to Parts 1 & 2, Plan 62R-8963	S610-03

REFERRED TO IN SECTION 4 OF
THE **SECOND** REPORT OF THE
TRANSPORT AND ENVIRONMENT
COMMITTEE

-1993-

SCHEDULE "B"

City Council Date:

<u>Address/Location</u>	<u>Type of Encroachment</u>	<u>Owner</u>	<u>Solicitor/Agent Address</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
12 Clyde Street	Veranda & Steps 7.72' X 1.46'	Luciano Fuoco	Willard & Devitt Barristers & Solicitor 155 Roncesvalles Ave Toronto, Ontario M6R 2L3	\$105.00 - \$20.00	T103-50(844)
89-91 West Ave North	Building 32' X 0.67' Porch 16.42' X 1.03'	Adam Socha	Harvey Katz & Associates Barristers & Solicitors 14 Hess Street South Hamilton, Ontario L8P 3M9	\$46.00	T103-50(838)
15 Grant Avenue	Steps 2.06' X 4'	Pasquale Filice and Ida Filice		\$105.00 - \$20.00	T103-50(847)
31-33 Douglas Street	Veranda & Steps 0.33m X 1.8m Veranda & Steps 0.30m X 1.7m		Aylesworth, Thompsen, Phelan, O'Brien Barristers & Solicitors P.O. Box 15, Suite 3000 South Tower Royal Bank Plaza Toronto, Ontario M5J 2J1	\$105.00 - \$20.00	T103-50(819)

-1994-

REFERRED TO IN SECTION 5 OF
THE SECOND ~~02/10/90~~ OF THE
TRANSPORT AND ENVIRONMENT
COMMITTEE

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report for 1990 and respectfully recommends:

1. (a) That the following land leases for farming purposes to Mr. Malcolm Bethune, be approved.
 - (i) 62.83 acres, more or less, on the Turner Farm situated on Rymal Road East at an annual rental of \$1 570.75 (\$25. per acre) including estimated realty taxes of \$1 718.83, and
 - (ii) 59.59 acres, more or less, of land at the Mount Hamilton Cemetery at an annual rental of \$1 489.75 (\$25. per acre) including estimated realty taxes of \$1 717.08.
- (b) The lease to commence 1990 May 1 for a period of one year and terminate 1991 April 30.
- (c) That the City Solicitor be authorized to prepare the necessary leases.

NOTE: Revenue to be credited to the following accounts:

Turner Farm - \$1 570.75 - Account No. CH44104 31106
Cemetery - \$1 489.75 - Account No. CH44118 63001

2. That an Offer to Purchase executed by Robert E. Smith and Sharon M. Smith on 1990 January 26 and scheduled for closing on or before 1990 April 15, be approved and completed.

NOTE: The sale of the City owned lands are at the rear of 92 National Drive having an approximate area of 14.82 square metres (160 square feet). The purchase price of \$400. is based on a rate of \$2.50 per square foot. The exact area and price will be determined by a survey prepared by the Purchaser to the satisfaction of the Regional Surveyor. This could result in an upward or downward adjustment to the approximate purchase price stated on the Offer. The purchase price is to be credited to Account No. CH4X501 00201.

3.
 - (a) That approval be given for the construction of a new Senior Citizen's Drop-in Centre at an alternative site, namely, city owned land located on Lake Avenue near Barton Street and Eastview Avenue.
 - (b) That approval be given to the Property Department to start a rezoning application for this new site.
 - (c) That approval be given for additional services of the Architectural Consultant, V. Pala for a new fixed fee of \$6 800. to develop a design and estimate for this new site, at no more than an upset limit of \$300 000.
 - (d) That approval be given for a soils investigation and topographic survey of the new site for an estimated maximum fee of \$15 000.

4.
 - (a) That the City Clerk be authorized to sign and serve, pursuant to The Expropriations Act, Notices of Possession requiring vacant possession of 32 Stinson Street to be turned over to the City within three months. Such Notices are to be served upon the former registered owner, the tenants on the assessment roll and the following tenants:
 - (i) Ms. Andrea Horvath
 - (ii) Mr. Ben Leonetti
 - (iii) Mr. David Hawthorne
 - (iv) D.W.S. Sandblasting Company
 - (b) That, if necessary, after the expiry of the said three month period, to secure vacant possession, the City Solicitor be authorized to apply to the Court for an Order to obtain vacant possession of the property known municipally as 32 Stinson Street, which was expropriated by Expropriation Plan 479787 CD on 1988 October 19th.

NOTE: This property is required for Carter Park (Stinson Neighbourhood Park).

5. (a) That the draft Terms of Reference for a Recreation Centres Needs Study attached herewith and marked Appendix "A", be approved as prepared by the Steering Committee.
- (b) That the Director of Culture and Recreation be authorized to pursue preparing a report to address the requirements of the Terms of Reference.
- (c) That this study be addressed with the supplementary support of consultants for the specific aspects requiring independent research, testing, and recommendations.

NOTE: Costs will not exceed \$14 000., and funds are being requested in the Department's 1990 Operating Budget.

6. (a) That the Corporation of the City of Hamilton adopt an annual policy to increase the membership rates at civic golf courses by the annual rate of inflation augmented by one percent, as outlined in Schedule A, attached herewith and marked Appendix "B".
- (b) That the 1990 Green Fees for daily use of the civic golf course be increased by one dollar, as outlined in Schedule B, attached herewith and marked Appendix "B".
- (c) That the 1990 tournaments held at civic golf courses be subject to a two dollar per player surcharge.

NOTE: Increased revenues will move towards a potential 1990 breakeven basis for the golf course operations.

- * 7. (a) That approval be given to the allocation of funds, in accordance with the policy as approved by City Council, and amended 1989 July 18 for the purchase and installation of playlot equipment for the following project:

(i) McQueston Community and Neighbourhood Park \$5 500.

Total \$5 500.

- (b) That the Finance and Administration Committee be requested to recommend the method of financing for this project.

* Section 7, deleted

8. For the information of the members of City Council, the Parks and Recreation Committee have appointed the following persons to serve on the Hamilton Historical Board for a term to expire 1992 November 30th:
- (a) David Cuming
 - (b) Carolyn Gray
 - (c) Leslie Stewart
 - (d) Dennis Missett
9. That a shared use of space arrangement be promoted for various arts organizations (e.g. Hamilton and Region Arts Council, Hamilton Artists Incorporated, Native Indian/Inuit Photographers Association) in a multi-purpose facility. The uses of the facility would include:
- offices
 - meeting rooms
 - studio workspaces
 - exhibit/performance areas
 - storage space
 - rehearsal space
10. That the following recommendation of the Arts Advisory Sub-Committee be referred to the HECFI Board of Directors for their consideration:
- That City funded arts organizations have access to the Hamilton Place and Copps Coliseum marquees to promote their programs free, or at a reduced rate.
11. That approval be given to non-profit arts groups to meet and work in existing Recreation Centre Facilities, at no cost to the group, in exchange for the group providing classes, workshops, or other services free to the public, subject to the approval of the Director of Culture and Recreation.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Susan K. Reeder, Acting Secretary
1990 February 6

mjlw

THE DEPARTMENT OF CULTURE AND RECREATION

NEEDS STUDY FOR RECREATION CENTRES

TERMS OF REFERENCE

Appendix "A" as referred
to in Section 5 of the
SECOND Report for 1990
of the Parks and
Recreation Committee



HAMILTON

The Corporation of
the City of Hamilton



culture and recreation

RECREATION CENTRE NEEDS STUDY

OVERVIEW

"The test of the future is its planning from today." This axiom has never been more true than when it comes to preparing for the constructive use of leisure time and the facility requirements for our City.

THE STEERING COMMITTEE'S TASK

Approval was given to put into place a Steering Committee utilizing representatives from the various committees, positional and divisional levels involved with the input and operations of the Culture and Recreation Department. The Committee's task was to:

1. To develop DRAFT terms of reference into an acceptable format.
2. To determine who will carry them out.

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THE DEPARTMENT OF CULTURE AND RECREATION'S "MISSION STATEMENT"

"The Department of Culture and Recreation will contribute to the quality of life in Hamilton by providing enhanced Cultural and Recreational opportunities for our citizens and visitors"

and

"our staff will provide responsive programs/services."

OUR GOALS

1. To support and develop volunteerism.
2. To program and operate our facilities professionally.
3. To optimize community resources.
4. To communicate and educate.
5. To forecast and evaluate our program needs.
6. To develop professional leadership.
7. To manage and be accountable for our public trust.

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D R A F T

**TERMS OF REFERENCE
NEEDS STUDY FOR RECREATION CENTRES**

1. INTRODUCTION

The City of Hamilton is currently serviced by twelve (12) Recreation Centres which were built during the period 1959-1981. These facilities generally house a swimming pool, gymnasium and various multi-use activity rooms along with staff offices and change rooms.

The tenure of some facilities has been thirty years and, although maintenance has been ongoing to ensure a well functioning plant, some facilities are in need of major improvements and retrofitting.

The Culture and Recreation Master Plan and the Departmental Capital Budget Review indicate that a number of new facilities should be considered to serve the new residential areas of the City of Hamilton. These facilities may follow the established format (pool, gym, activity rooms) or a variation of multi-use recreational format.

The demographics have changed dramatically over the past thirty years and so have the interest levels in recreation programs. Both redesigns and new construction must address these trends of today and how they affect tomorrow.

2. OBJECTIVES OF THE STUDY

- 2.1 To recommend the service area formula for all facilities based on serving a geographic area and/or serving a City-Wide need.
- 2.2 To review the current facilities/recreation/cultural centres against current standards of user profiles and service requirements.
- 2.3 To recommend additional facilities/recreation/cultural centres and their appropriate location to serve the growing residential areas of the City of Hamilton over the next ten years.

Objectives of Study con't

- page 4 -

- 2.4 To recommend the content/format for existing and new facilities to best serve the multi-interest levels of recreational, leisure and cultural activities to include joint venture projects. To also review and report on past joint agreements with Boards of Education, McMaster University, Mohawk College and any additional shared user groups in regards to shared use of facilities.
- 2.5 To evaluate the major maintenance and retrofitting policy of the City of Hamilton for recreation facilities.
- 2.6 To recommend the time schedule for upgrading/construction projects on a priority basis.
- 2.7 To identify the capital financing options that are available for municipal, provincial, and private funds.
- 2.8 To identify, compare and evaluate our current operating procedures relative to other major providers of comparable size and service delivery and to recommend future operating principles for staffing.
- 2.9 To involve public participation in the study.

3. SCOPE OF THE STUDY

- 3.1 The study is expected to take four (4) months to complete and will commence in early 1990.
- 3.2 The Study Team will be provided with background documents and materials from all appropriate city or regional departments.
- 3.3 The Study Team is expected to follow the following guidelines:

Month One-	Orientation and information gathering
Month Two-	Response to Steering Committee on the Terms of Reference and appropriateness of schedules
Month Three-	Interim Report and Public Meeting(s)
Month Four-	Draft Report Presentation to Steering Committee Presentation to the Parks and Recreation Committee

Scope of the Study con't

- page 5 -

Public Meeting
Final Report

4. STUDY REQUIREMENTS

4.1 Market Data

To provide relevant information related to trends in the provision of recreation programs and services in Hamilton. The implications of these trends will be addressed.

4.2 Economic Data

To provide an analysis of demographics, residential growth areas, travel patterns, and economic projections which apply to this study.

4.3 Inventory Analysis

To provide a current inventory of facilities, programs and services which apply to the City of Hamilton and to address the implication of this inventory. To review and provide joint venture agreements with all shared user groups.

4.4 Service Standards

To analyze the standards for present and future facilities and address the capital and operating cost projections.

4.5 Objectives Orientation

To comply with the nine (9) objectives set out as the goals in this report.

4.6 Public Participation

To ensure public participation in appropriate forms such as meetings, survey, and interviews.

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5. FACILITY REQUIREMENTS

5.1 To determine the facility needs at existing and new recreational/cultural centres related to:

- space requirements for interest areas
- determine multi-purpose options
- innovative design options - leisure concepts
- accessibility

5.2 To determine the future needs and locations based on:

- facility feature and expansion options
- environmental impacts and enhancement
- Official Plan zoning implications
- parking, traffic and public transportation
- community acceptance
- site availability and/or acquisition of same
- servicing availability

5.3 To determine the preferred operational format for recreation/cultural facilities dealing with:

- user costs
- operating costs
- capital costs
- management and staffing
- impact on current capital and operating budgets
- market awareness

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6.0 FINANCIAL ANALYSIS

6.1 Cost Analysis

The Study Team will provide short and long term cost analysis for the recommendations to include:

- project consulting
- architectural
- renovating - construction estimates
- hard estimates
- contingency allowances

6.2 Capital Funding

The Study Team will provide estimates and time tables for capital programs with identified sources of funds external from municipal, exploring options for:

- other levels of government
- joint funding
- fund raising

6.3 Operating Costs

The Study Team will provide options for operating formats to include:

- program and service costs
- staffing levels and costs
- services, utilities, maintenance costs

6.3 Operating Revenues

The Study Team will develop options for revenues to include membership fees, admission fees, rentals, lease options, concessions advertising, donor programs.

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7.0 RATES AND RESPONSIBILITIES

The Study Team will report and be accountable to the Steering Committee. This will be done through monthly meetings, following guidelines in item 3.3.

The Department of Culture and Recreation will provide support services and materials to the Study Team. The Study Team will identify the project contacts/liaisons, the cost requirements, and overview strategy. The Study Team will provide draft copies of all printed material, progress reports, interim reports (20) and final reports (20), to the Steering Committee.

8.0 CONCLUDING REMARKS

The direction of this Needs Study and the approach to addressing the objectives should not be limited to traditional terms for recreational programming. The Study Team and the Steering Committee must be prepared to explore innovative concepts and combinations which address the recreation needs of the Hamilton mosaic.

The most viable recommendations will be a combination of user friendly and facility effective.

R. Sugden, Director
Culture and Recreation Department

DEPARTMENT OF CULTURE AND RECREATION
GOLF MEMBERSHIPS AND GREEN FEES

SCHEDULE "A"

MEMBERSHIPS

1989	CHEDOKE		KINGS FOREST	
	1989	1990	1989	1990
MENS	\$394.00	\$420.00	\$446.00	\$480.00
MENS NON-RES	591.00	630.00	669.00	720.00
LADIES	394.00	420.00	436.00	470.00
LADIES NON-RES	591.00	630.00	654.00	700.00
COUPLES	714.00	760.00	824.00	880.00
COUPLES NON-RES	1,071.00	1,140.00	1,236.00	1,320.00
FAMILY	845.00	900.00	956.00	1,010.00
FAMILY NON-RES	1,268.00	1,350.00	1,434.00	1,520.00
JUNIORS	179.00	190.00	221.00	240.00
JUNIORS NON-RES	268.00	290.00	332.00	360.00
INTERMED	231.00	250.00	263.00	280.00
INTERMED NON-RES	347.00	370.00	395.00	420.00
PENSIONERS	257.00	280.00	278.00	300.00
PENSIONERS NON-RES	386.00	420.00	417.00	450.00
OVER 70	179.00	190.00	200.00	210.00
OVER 70 NON-RES	N/A		N/A	

GREEN FEES - SCHEDULE "B"

CHEDOKE

MARTIN - 18	\$14.00	\$15.00	
MARTIN - 9	12.00	13.00	
MARTIN - * WE - 18	15.00	16.00	* Weekends and Holidays
MARTIN - * WE - 9	13.00	14.00	
MARTIN - PENS	10.00	11.00	
BEDDOE - 18	16.00	17.00	
BEDDOE - 9	14.00	15.00	
BEDDOE - * WE - 18	17.00	18.00	
BEDDOE - * WE - 9	15.00	16.00	
BEDDOE - PENS	12.00	13.00	

KING'S FOREST

18 HOLE	\$17.00	\$18.00
9 HOLE	14.00	15.00
PENSIONER	12.00	13.00

Appendix "B" as referred
to in Section 6 of the
SECOND Report for 1990
of the Parks and
Recreation Committee

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its FOURTH Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 1019 Scenic Drive
 - (b) 68 Royal Avenue
2. That By-law No. 87-350 prescribing a tariff of fees in relation to anticipated administrative costs be appropriately amended to reflect a fee increase from the present \$180. to \$250. for applications to the Committee of Adjustment effective 1990 April 2.
3. (a) That, the 1990 operating budget of the Concession Street B.I.A., as shown on the attached marked as Appendix "A", be approved in the amount of twenty-six thousand, sixty dollars (\$26,060.);
 - (b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O., 1980, to levy the 1990 Budget as referenced in (a) above; and,
 - (c) That, the schedule of payments for 1990 be as follows:

March 01	\$6,000.
April 01	4,000.
June 01	6,000.
August 01	4,500.
October 01	5,560.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

4. (a) That, the 1990 operating budget of the Downtown Promenade B.I.A., as shown on the attached marked as Appendix "B", be approved in the amount of one hundred and ninety-nine thousand, nine hundred and eighty dollars (\$199,980.);
- (b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1990 Budget as referenced in (a) above; and,
- (c) That, the schedule of payments for 1990 be as follows:

January 01	\$23,980.	February 01	\$16,000.
March 01	16,000	April 01	16,000.
May 01	16,000.	June 01	16,000.
July 01	16,000.	August 01	16,000.
September 01	16,000.	October 01	16,000.
November 01	16,000.	December 01	16,000.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

5. (a) That, the 1990 operating budget of the Jamesville B.I.A., as shown on the attached marked as Appendix "C", be approved in the amount of thirty-five thousand, four hundred and fifty dollars (\$35,450.);
- (b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1990 Budget as referenced in (a) above; and
- (c) That, the schedule of payments for 1990 be as follows:

February 01	\$15,450.
May 01	10,000.
August 01	10,000.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

6. (a) That, the 1990 operating budget of the Westdale Village B.I.A., as shown on the attached marked as Appendix "D", be approved in the amount of twenty-five thousand dollars (\$25,000.);
- (b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O., 1980, to levy the 1990 Budget as referenced in (a) above; and,

(c) That, the schedule of payments for 1990 be as follows:

February 01	\$ 6,250.
April 01	6,250.
June 01	6,250.
October 01	6,250.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

7. (a) That, the 1990 operating budget of the International Village B.I.A., as shown on the attached marked as Appendix "E", be approved in the amount of sixty-five thousand dollars (\$65,000.);

(b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1990 Budget as referenced in (a) above; and,

(c) That, the schedule of payments for 1990 be as follows:

February 01	\$25,000.
May 01	20,000.
July 01	20,000.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

8. (a) That, the 1990 operating budget of the Ottawa Street B.I.A., as shown on the attached marked as Appendix "F", be approved in the amount of eighty-five thousand dollars (\$85,000.);

(b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O., 1980, to levy the 1990 Budget as referenced in (a) above; and

(c) That, the schedule of payments for 1990 be as follows:

March 01	\$42,500.
June 01	21,250.
September 01	21,250.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

9. (a) That, the 1990 operating budget of the Barton General B.I.A., as shown on the attached marked as Appendix "G", be approved in the amount of six thousand dollars (\$6,000.);
- (b) That, the City Solicitor be authorized and directed to prepare the requisite By-law pursuant to Section 217, the Municipal Act, R.S.O., 1980, to levy the 1990 Budget as referenced in (a) above; and
- (c) That, the schedule of payments for 1990 be as follows:

April 01	\$ 2,000.
July 01	2,000.
October 01	2,000.

NOTE: 1989 Levy Arrears will be deducted from the first payment for 1990.

10. (a) That, By-law No. 87-147 appointing the Ottawa Street B.I.A. Board of Management, be amended to delete the following names:

C. Mirabella	Encore T.V. and Video
--------------	-----------------------

and add the following:

J. Driscoll	Price Busters Discount
L. Ross	Maggie's Ladies Wear

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-147 pursuant to (a) above.

11. (a) That, By-law No. 87-147 appointing the Westdale Village B.I.A. Board of Management be amended to delete the following names:

M. Kane	Mary Ann's Gifts
D. Hurley	D. H. Fashions
J. Jennings	Five Seasons Travel

and add the following:

Y. Bernert	Woodland Leathers
D. Miklos Jr.	The Village F-Stop
S. McConnell	Boudoir Keepsakes of Westdale
B. Basadur	Cottonwood

- (b) That, the City Solicitor be authorized and directed to amend By-law No. 87-147 pursuant to (a) above.

12. (a) That, By-law No. 87-147 appointing the Jamesville B.I.A. Board of Management be amended to delete the following names:

D. Fraser
T. Monagimzada

and add the following:

G. Lipari
R. Corsini
R. Burridge

- (b) That, the City Solicitor be authorized and directed to amend By-law No. 87-147 pursuant to (a) above.

- *13. That Section 8 of the 17th Report of the Planning and Development Committee as approved by City Council on 1989 July 25, be amended as follows:

- (a) The City's Offer to Purchase agreement dated 1989 June 20th, be amended by expanding the number of Purchasers from Mercanti Management Inc. to include Peter Mercanti, Morris Mercanti, Moore & Davis Enterprises Inc. and Arthur Glenn Bryant each as to 20% undivided interest as tenants in common.

- *14. That Section 12 of the 16th Report of the Planning and Development Committee, as approved by City Council on 1988 July 26, be amended as follows:

- (a) That approval be granted to allow the transfer of title in the City's deed 9495 from Sam, Peter and Morris Mercanti to Samuel, Peter, Morris Mercanti, Moore & Davis Enterprises Inc. and Arthur Glenn Bryant each as to as a 20% undivided interest, as tenants in common;
- (b) That the Purchasers' solicitor must prepare all necessary agreements and deed subject to the approval of the City Solicitor.
- (c) That any costs incurred by the City in this regard will be borne by the Purchasers.

* Sections 13 & 14 amended, see page 1972

15. (a) That Starward Homes Limited be authorized to make an application to have the City owned lands described as Part 1, Plan 62R-10500 placed under the Land Titles System; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the documentation prepared by Starward Homes Limited, provided that the content and form of same is satisfactory to the City Solicitor.

NOTE: Starward Homes Limited was given approval to include the subject City owned parcel, Block 1, with other Starward lands in Zoning Application 89-15 and Subdivision Application 88-05, pursuant to City Council's 1989 May 30th adoption of Section 9 of the 14th Report for 1989 of the Planning and Development Committee.

16. (a) That Section 5 of the 26th Report of the Planning and Development Committee Report, as approved by City Council on 1989 November 14, be rescinded.
- (b) That the City of Hamilton accept the sum of \$66,900. as cash payment in lieu of 5% dedication in connection with "Wentwal Estates", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: This revised figure has been calculated as a result of the addition of Block 40 to the Subdivision.

These lands are located west of Upper Wentworth Street and north of Rymal Road in the Barnstown Neighbourhood, Hamilton.

17. That approval be given to a request by Bassel, Sullivan and Leake, Solicitors for the owner of the property at 530-550 Fennell Avenue East, to discharge a modified subdivision agreement, registered on 1957 December 31, as Instrument No. 34335 HL and that the City Solicitor proceed accordingly.

NOTE: The modified subdivision agreement which was registered on 1957 December 31, has become outdated and does not recognize various alterations of the site which have subsequently been processed and controlled by the Site Plan Control procedure and By-laws No. 87-150, No. 87-223 and No. 79-276.

18. That Site Plan Control By-laws No. 87-223 and No. 79-275, be amended to include the lands located on the north and south sides of Main Street West between Highway No. 403 and Queen Street South as outlined in the map attached hereto and marked as Appendix "H", and that the City Solicitor be directed to proceed with such action.

NOTE: The purposes of the By-law is to include the lands under Site Plan Control. Any development proposed along the Main Street corridor in this area would be required to submit various plans for approval. This action was a recommendation of the report entitled "City Entrance - Main Street West" which was accepted by City Council at its meeting of 1989 November 14.

19. (a) That the recommendations of the Central Area Plan Implementation Committee, in their report dated 1990 January 22nd, respecting a Regional Transportation Study and the proposed Perimeter Road be forwarded to Regional Council for consideration.
- (b) That the City Clerk advise Regional Council that the Planning and Development Committee endorses C.A.P.I.C.'s recommendation on the need for a comprehensive Transportation Study to be undertaken.
20. For the information of the members of City Council, the Planning and Development Committee has appointed Alderman W. McCulloch to serve on the Central Area Plan Implementation Committee.
21. (a) That the request for a waiver from the requirements of a Feasibility Study and Impact Analysis for lands located west of Nash Road, north of the C.N.R. be granted;
- (b) That the City Clerk be directed to inform the Council of the Regional Municipality of Hamilton-Wentworth regarding (a) above, and request that Regional concurrence be obtained; and,
- (c) That Site Plan Control By-law No. 79-275, as amended by By-law No. 87-223, be amended by including the subject lands.

NOTE: The Planning and Development Department has recently received a request for a waiver from the requirements of a Feasibility Study and Impact Analysis (Environmental Impact Statement) from the Regional Freeway Project Office, for City owned lands located west of Nash Road, north of the C.N.R., as shown on the attached map marked as Appendix "I". The Official Plan requires an Environmental Impact Statement for development proposals within Environmentally Sensitive Areas, or if requested, Council may grant a waiver, with the concurrence of Regional Council.

22. That City Council approve the resolution, as shown on the attached Appendix "J", to support a request for the property located at 51 Stuart Street, Hamilton, from the owner, Don Warrener, for a National Historic Sites and Monuments Board plaque.

NOTE: LACAC, at its last meeting held in 1989 November, passed a recommendation to support Don Warrener's request for such a plaque.

23. That the City Solicitor be requested to prepare an agreement of sale between the City and Reemark, the owners of the Pigott-Sun Life buildings, for the Pigott Lobby stained glass windows, contingent on the following conditions:
- (a) That the heritage easement between the Ontario Heritage Foundation and Reemark, the property owners, be in place;
 - (b) That the sale price of the stained glass windows is equivalent to their replacement value;
 - (c) That the windows will be adequately protected against theft or vandalism, when in place, in accordance with accepted conservation standards;
 - (c) That the windows will be insured for their replacement value by the property owners insurance policy, by means of a special rider;
 - (e) That, if the windows are to be removed at any time in the future, the City of Hamilton retains the right of first refusal;
 - (f) That the agreement of sale be registered on title; and
 - (g) That the Heritage Hamilton Foundation be re-imbursed for their contribution (\$3,240.) for the purchase of these windows, and that the remaining monies from the sale be returned to the City (Reserve Fund for the Acquisition of Historic Properties).
24. (a) That the Planning Department be requested to consider including the Durand South (Markland St. area) Heritage District Study in the 1990 Work Programme;
- (b) That upon endorsement of the proposed District Study in the 1990 Work Programme that:
- (i) Staff be directed to make a grant application to the Ministry of Culture and Communications for Heritage District Study funding; and

- (ii) Subject to the grant funding from the Ministry of Culture and Communications, the Study proceed and that the Solicitor's Department be directed to prepare a By-law defining the Markland St. area as an area to be examined for future designation as a heritage conservation district.

NOTE: On 1990 January 12, the Planning Department received a Petition with 26 signatures of homeowners in the Durand South Neighbourhood requesting investigation on the possibility of becoming a Heritage District.

25. That approval be given to Zoning Application 89-107, Effort Trust Company, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit single-family residential development on property located at the rear of 1265 and 1269 Upper James Street, as shown on the attached map marked as Appendix "K", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 1265 and 1269 Upper James Street.

The effect of the By-law is to permit single-family residential development.

26. That approval be given to Zoning Application 89-120, Anna Filazzola, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at the rear of 641 Limeridge Road East, as shown on the attached plan marked as Appendix "L", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27A for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 641 Limeridge Road East.

The effect of the By-law is to permit the rear portion of the property to be developed in conjunction with adjoining lands to create a building lot for a single-family dwelling fronting onto Parkwood Crescent.

27. (a) That approval be given to Zoning Application 89-115, LIUNA Local 837 Health and Welfare Plan, owner, requesting a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, to permit the conversion of the existing building for a dental office and vision ware dispensary for union members on the first floor, and offices on the second floor, for the property located at 18 West Avenue South, as shown on the attached map marked as Appendix "M", on the following basis:

- (i) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (1.) That notwithstanding Section 11(1), the following uses shall be permitted:

- (a) Commercial uses only within the existing building:

- (i) A dental office;
 - (ii) Business and professional Offices (excluding all medical offices except a dental office permitted in clause (a) above; and,
 - (iii) An optician's establishment.

- (b) Accessory Use:

- (i) One ground sign, wall sign or projection sign having an area of not more than 0.4m² non-illuminated or illuminated by non-flashing, indirect or interior means only, located at least 1.5m from the nearest street line in connection with the commercial use.

- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1161, and that the subject lands on Zoning District Maps E-13 and E-14 be notated S-1161;
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-13 and E-14 for presentation to City Council;
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
 - (v) That the Stinson Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to "Commercial".
- (b) That the amending by-law not be forwarded for passage by City Council until such time as a site plan has been approved by the Planning and Development Committee.

NOTE: The purpose of the by-law is to provide for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for the property located at 18 West Avenue South.

The effect of the by-law is to permit the following uses:

- (i) Commercial within the existing building only:
 - (1.) A dental office;
 - (2.) Business and professional offices (excluding medical offices with the exception of a dental office); and,
 - (3.) An opticians establishment.
- (ii) Accessory:
 - (1.) One ground, wall, or projection sign not greater than 0.4m² in area, non-illuminated or illuminated by non-flashing, indirect or interior means only and no closer than 1.5m to the nearest street line.

28. That leave be granted to introduce the following Bills:

- (a) Bill D-20 A By-law to adopt Official Plan Amendment No. 84 respecting land located at Municipal No. 420 Rymal Road East, within the Broughton West Neighbourhood.
- (b) Bill D-21 A By-law to adopt Official Plan Amendment No. 85 respecting lands located north of Rymal Road East, between Upper Wentworth Street and Upper Sherman Avenue, within the Butler Neighbourhood.
- (c) Bill D-22 A By-law to adopt Official Plan Amendment No. 86 respecting lands located along Centennial Parkway North, from the Q.E.W. to the City limits, within the Nashdale, Lakely, Kentley and Riverdale West Neighbourhoods.
- (d) Bill D-23 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1050 Rymal Road East.
- (e) Bill D-24 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 780 Upper Paradise Road.
- (f) Bill D-25 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 323 Rymal Road East.
- (g) Bill D-26 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 302 Stone Church Road West.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder, Secretary
1990 February 7th

Sections 13 & 14 amended to read:

13. That Section 8 of the 17th Report of the Planning and Development Committee as approved by City Council on 1989 July 25 respecting Parts 2 & 3, Plan 62R-10547 - Upper Ottawa Street, be amended as follows:
 - (a) The City's Offer to Purchase agreement dated 1989 June 20th, be amended by expanding the number of Purchasers from Mercanti Management Inc. to include Peter Mercanti, Morris Mercanti, Moore & Davis Enterprises Inc. and Arthur Glenn Bryant each as to 20% undivided interest as tenants in common.
14. That Section 12 of the 16th Report of the Planning and Development Committee, as approved by City Council on 1988 July 26 respecting Anchor Road - Parts 3 & 4, Plan 62R-5200, be amended as follows:
 - (a) That approval be granted to allow the transfer of title in the City's deed 9495 from Sam, Peter and Morris Mercanti to Samuel, Peter, Morris Mercanti, Moore & Davis Enterprises Inc. and Arthur Glenn Bryant each as to a 20% undivided interest, as tenants in common;
 - (b) That the Purchasers' solicitor must prepare all necessary agreements and deed subject to the approval of the City Solicitor.
 - (c) That any costs incurred by the City in this regard will be borne by the Purchasers.

SCHEDULE OF PAYMENTS FOR 1990 - CONCESSION STREET B.I.A.

<u>DATE REQUIRED</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
March 1, 1990	\$ 6,000.00	Rent and insurance and accounting
April 1, 1990	4,000.00	Promotions; Easter, Mothers Day, Fathers Day
June 1, 1990	6,000.00	Summer Festival
August 1, 1990	4,500.00	Fall Fair
October 1, 1990	<u>5,560.00</u>	Christmas, Midnight - Madness
TOTAL	<u>\$26,060.00</u>	

YJ
Yvon Jean, Treasurer
Concession Street B.I.A.

YJ/df

Appendix "A" as referred to in
Section 3 of the FOURTH Report
for 1990 of the Planning
and Development Committee.

'A'

Jan 9/90
800-001112
1017-412

ER
90/1/19
JMK
M.D.D.

02/12/90
GORE PARK
DOWN TOWN
PROMENADE

Downtown Hamilton Business Improvement Area.
P.O. Box 1023, Station A, Hamilton, Ontario L8N 3R4 Telephone (416) 523-1646

January 8, 1990

Mr. E.W. Kowalski
Director
Community Development
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Re: 1990 Downtown Hamilton BIA Budget submission

Dear Ed,

Please find enclosed with this note a copy of the information presented and ratified at the Annual General meeting of the Downtown Hamilton BIA which was held on December 14, 1989 at the Royal Connaught Hotel 6:00 p.m. in the Hamilton Room.

The budget for 1990 was ratified as presented and is as follows:

	<u>ITEM</u>	<u>AMOUNT</u>	<u>%</u>
Revenue:	Levy	\$199,980	100
Expense:	Reserve (City Holdback)	19,989	10
	Fees/Administration	42,500	21
	Projects	<u>137,491</u>	<u>69</u>
Total:		199,980	100

The Board members were ratified as presented at this meeting and are listed on page four (4) of the accompanying information.

I trust this is sufficient to submit for Council approval. If you have any questions or require further information I will be happy to supply whatever is needed.

With thanks,

Gabriel

Mr. Gabriel Etele
Executive Director.

Appendix "B" as referred to
in Section 4 of the FOURTH
Report for 1990 of the Planning
and Development Committee.

Encls.

JAMESVILLE
APPROVED BUDGET FOR 1990

SPRING SIDEWALK SALE

Advertising	Newspaper	\$1,000.00	
	Radio	1,500.00	
	Billboards, printing	1,000.00	
Total		<u>3,500.00</u>	
Prizes		1,000.00	
Wages		500.00	
Entertainment		1,000.00	
Administration (permits etc.)		300.00	
Total		<u>2,800.00</u>	
GRAND TOTAL			\$6,300.00

ADMINISTRATION

Rent	1,150.00	
Photocopier	2,000.00	
Supplies	1,500.00	
Staff	20,000.00	
Petty cash	1,500.00	
GRAND TOTAL		26,150.00
REFUND TO CITY (Approx.)		3,000.00
<u>TOTAL FOR 1990</u>		<u>35,450.00</u>

Appendix 'C' as referred to in
Section 5 of the FOURTH Report
for 1990 of the Planning
and Development Committee.

WESTDALE VILLAGE
B.I.A.
1990 PROPOSED BUDGET

Administration	\$ 4,600.
Advertising	7,500.
Audit	300.
Christmas Decorations	2,000.
Flowers - New Merchants	400.
Hydro	1,000.
Insurance	800.
Maintenance Plants & Flowers	2,000.
Meals - General & Directors Meetings	1,000.
Newsletter, Paper and Supplies	400.
Promotions	5,000.
TOTAL	<u>25,000.</u>
LESS - SURPLUS CARRY FORWARD	<u>5,000.</u>
TOTAL FUNDS REQUIRED	✓ \$20,000.

• approved by membership
Nov 8/89.

Appendix "D" as referred to in
Section 6 of the FOURTH Report
for 1990 of the Planning and
Development Committee.

INTERNATIONAL

Village

King Street East
between Wellington
and Mary

PROPOSED BUDGET, 1990

ADVERTISING, Print and Radio	\$30,000.00	
PROMOTIONS, Valentine, Easter Streetfest, Christmas	<u>\$10,000.00</u>	\$40,000.00

B.I.A. OPERATIONS:

- Rent	\$4,200.00	
- Hydro, telephone	750.00	
- Equip. rentals, office supplies	<u>650.00</u>	\$ 5,600.00
- Salaries	\$18,500.00	
- C.P.P./U.I.C.	<u>1,668.00</u>	<u>\$20,169.00</u>
		\$25,768.00

INSURANCE, Accounting Fees, Bank charges		\$ 835.00
---------------------------------------------	--	-----------

CHRISTMAS DECORATIONS, lights for street trees		<u>\$ 5,000.00</u>
---------------------------------------------------	--	--------------------

TOTAL PROPOSED EXPENDITURE		\$71,603.00
----------------------------	--	-------------

Recoverable overhead costs from Job Development Programme (Sept. 1989-March 1990)		<u>\$(7,007.00)</u>
-----------------------------------------------------------------------------------------	--	---------------------

NET BUDGET REQUIREMENT		<u>\$65,000.00</u>
------------------------	--	--------------------

Approved by membership
Dec 4/89.

Appendix 'E' as referred to in
Section 7 of the FOURTH Report
for 1990 of the Planning
and Development Committee.

Budget Item	02/13/90	Total \$	-2027- %
Rent			
12 months @ \$470		5,650	6.65
Realty taxes (yearly)		1,080	1.3
Utilities			
Hydro - office, 12 months @ \$83.00		1,000	1.18
Telephone - 2 lines @ 47.25, 12 months		1,135	1.34
- long distance calls, 12 months		475	.55
Insurance			
Total coverage includes: Liability, vandilism fire, computers, office equipment and special events		770	.90
Office Supplies			
Paper, pens, letterhead, capital newsletters, postage and sundries		1,500	1.76
Office Equipment			
Photocopier			
84,000 copies @ 7.2 cents = \$6,000.00			
less: revenue from merchants = \$2,000.00			
		4,000	4.70
Typewriters			
2 service contracts		450	.52
Wages			
Manager's wages		18,720	22.02
Employees Benefits		1,875	2.20
Administrative Assistant (20 hrs/wk x \$6.50/hr x 50 weeks)		6,500	7.60
Employees Benefits		650	.76
Memberships			
O.B.I.A.A. National & Managers' Conference		500	.58
Advertising		13,000	15.29
Parking			
Meter feeder - 4 Saturdays @ \$50.00		200	.23
Beautification			
Street cleaner's wages			
37 weeks x 7 hours x 5 days @ \$7.00/hr		9,065	10.66
Employee Benefits		907	1.06
Streetcleaner's supplies - bags, brooms, etc.		400	.47
Plants and maintenance for planters in summer (40 planter barrels + soil + flowers)		1,950	2.30
Lighting Secondary			
Maintenance for lights in trees		4,000	4.70
Hydro for tree lights		2,500	2.94
Other Costs include:			
Flowers & gifts	450		.52
Bank Charges	250		.30
Workers Compensation	250		.30
Refreshments for special meetings	400		.47
Yearly audit of books	600		.76
		2,000	2.35
Contingency Fund			
8.5 percent		6,620	8.5
Total		85,000	100.00

Appendix "F" as referred to in
Section 8 of the FOURTH Report for
1990 of the Planning and
Development Committee.



BARTON GENERAL

Business Improvement Area

Chairman
Mr. Keith W. Cody
293 Barton East
Box 900
Hamilton, Ontario
L8N 3P6
Phone: 527-9163

January 19, 1990

To: City of Hamilton From: Keith W. Cody
 Community Development BIA
 Chairman
Attn: Danny Dube

Dear Danny:

Barton General BIA have the following officers
for the year 1990.

Chairman - - Keith W. Cody
Vice Chairman - Murray Korytko
Secretary - Sara Vizzari
Treasurer - Sidney Shumacher

Our Budget for 1990 is as follows:

\$6000.00 for 1990
\$4000.00 - Advertising
\$1000.00 - Secretarial
\$ 500.00 - Meetings
\$ 250.00 - Miscellaneous
\$ 250.00 - Christmas Decor

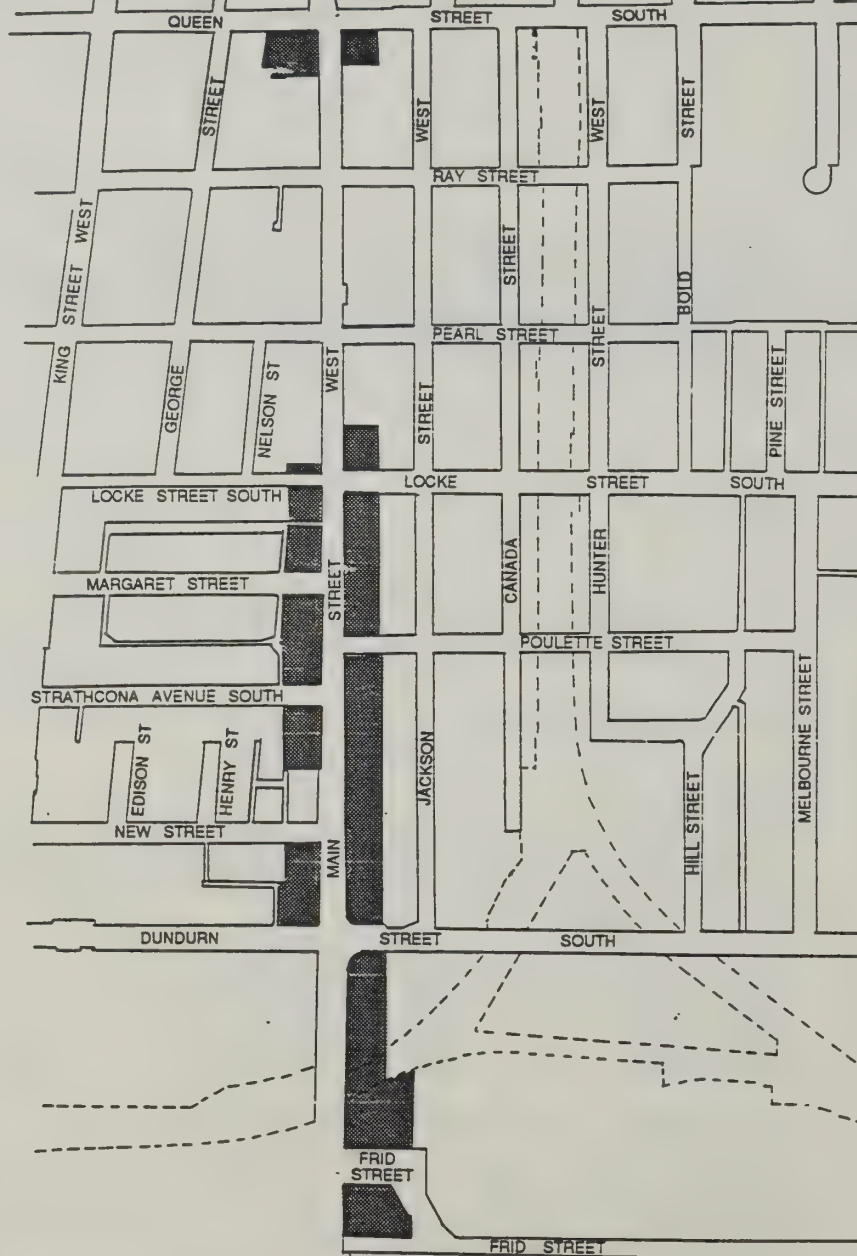
For Commercial Improvement Programs,,
we request: STREET BLADES
 FLOWER BASKETS

Yours truly,
Keith W. Cody

Appendix 'G' as referred to in
Section 9 of the FOURTH Report
for 1990 of the Planning
and Development Committee.

02/13/90

-2029-



NOTE: All dimensions are in metres

This is Schedule A to By-Law No. 90-
 Passed the day of, 1990.

Appendix 'B' as referred to in
 Section 18 of the FOURTH Report
 for 1990 of the Planning and
 Development Committee.

Clerk

Mayor

City of Hamilton

Appendix
 to By-Law No.79-275

as Amended by
 By-Law No.87-223

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Lands Designated Under this By-Law
 as an area of Site Plan Control pursuant
 to Section 40 of the Planning Act.

North



Scale
 NOT TO SCALE

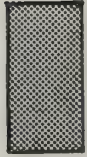
Date
 January, 1990

Reference File No.

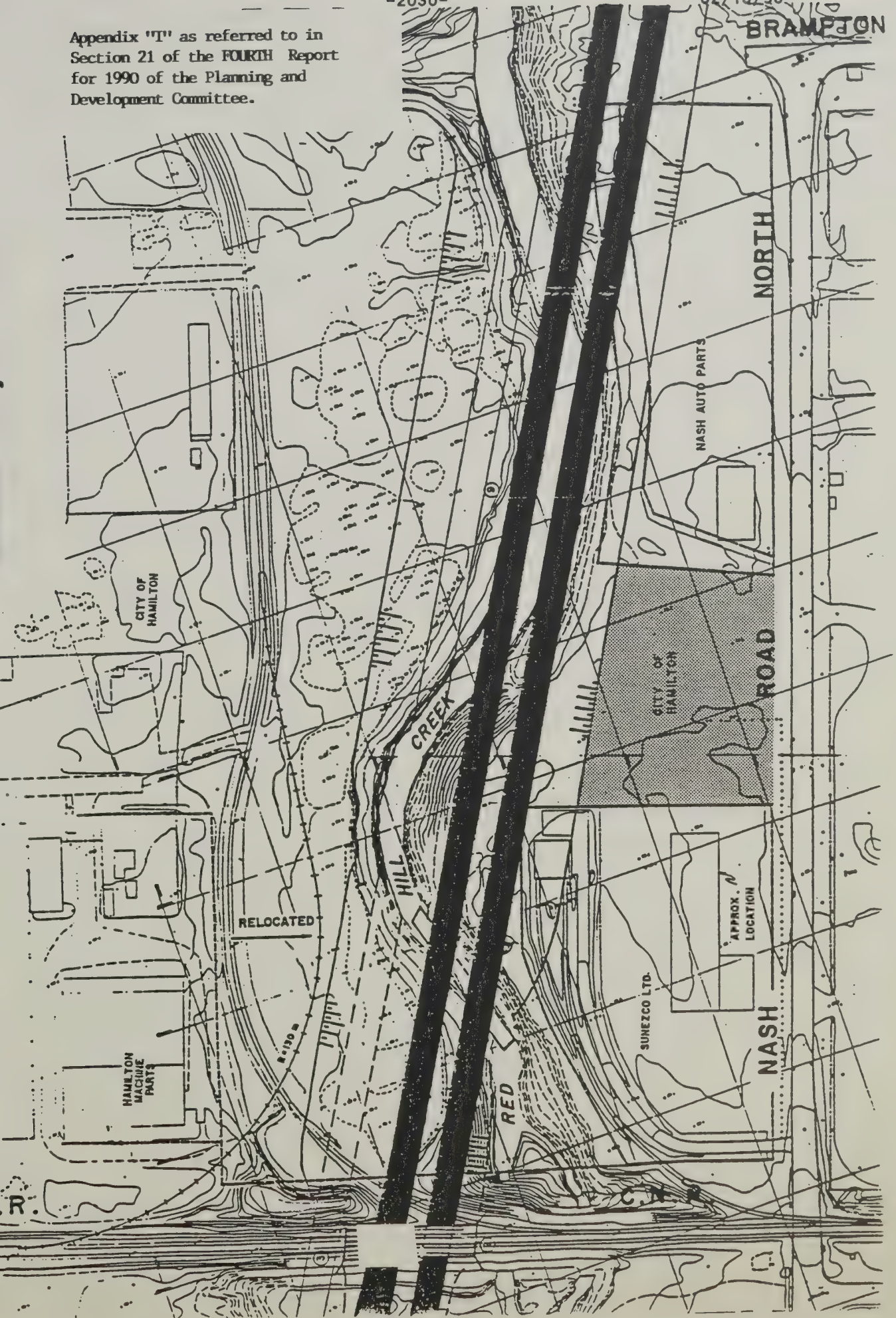
Drawn By
 W.B.

Appendix "T" as referred to in
Section 21 of the FOURTH Report
for 1990 of the Planning and
Development Committee.

Subject Lands



C.N.R.



BRAMPTON

NORTH

NASH AUTO PARTS

ROAD

CITY OF
HAMILTON

APPROX.
LOCATION

NASH

SUNECO LTD.

RED

HILL

CREEK

RELOCATED

2-150 M

EXHIBIT A

HAMILTON CUSTOM HOUSE

51 STUART STREET, HAMILTON

RESOLUTION IN SUPPORT OF THE APPLICATION FOR AN
HISTORIC SITES AND MONUMENTS BOARD OF CANADA PLAQUE

Whereas the Hamilton Custom House is of local significance as the only remaining pre-Confederation governmental building still intact in the City;

Whereas the Hamilton Custom House is of provincial significance as one of the oldest "federal" buildings still standing in Ontario;

Whereas the Hamilton Custom House is of national significance as one of only five Customs Houses built by the Province of Canada, the Union of Upper and Lower Canada, between 1843 and 1867;

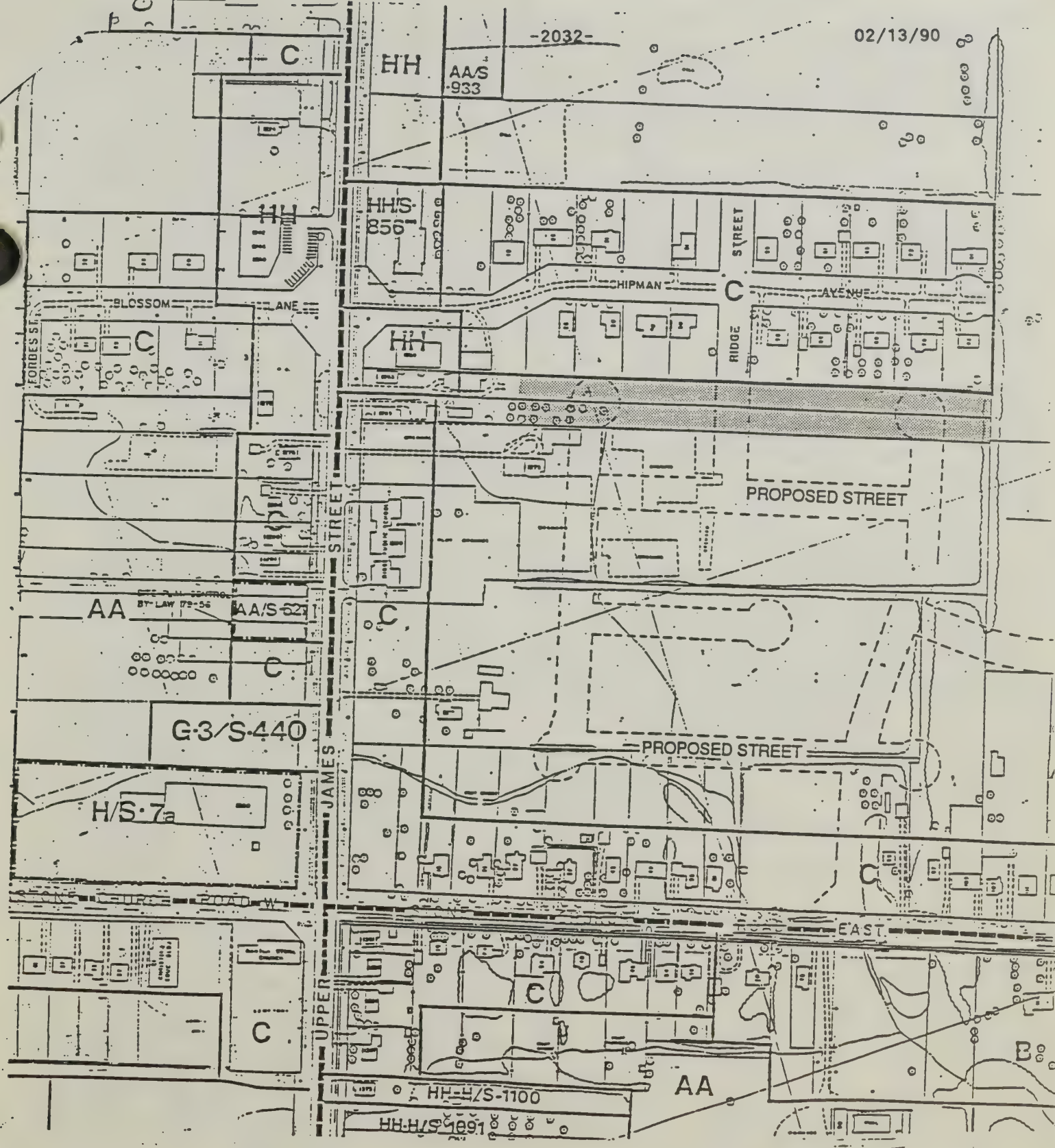
Whereas the Hamilton Custom House is of exceptional architectural significance as an outstanding example of the Italianate (Renaissance) Revival Style, credited to Public Works architect F.P. Rubidge and F. Rastrick, a Hamilton architect;

Whereas the Hamilton Custom House is a particularly distinguished work of local stone construction, a building material used in Hamilton primarily during the 1840's - 50's;

Whereas the Hamilton Custom House has in recent years undergone an extensive restoration of high quality to both its exterior and interior, with assistance from the Ontario Heritage Foundation and the City of Hamilton;

Now, therefore, we, the City of Hamilton, strongly support the application of the Hamilton Custom House for an Historic Sites and Monuments Board of Canada plaque.

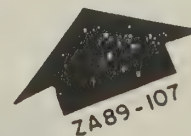
Appendix "J" as referred to in
Section 22 of the FOURTH Report
for 1990 of the Planning and
Development Committee.



Legend

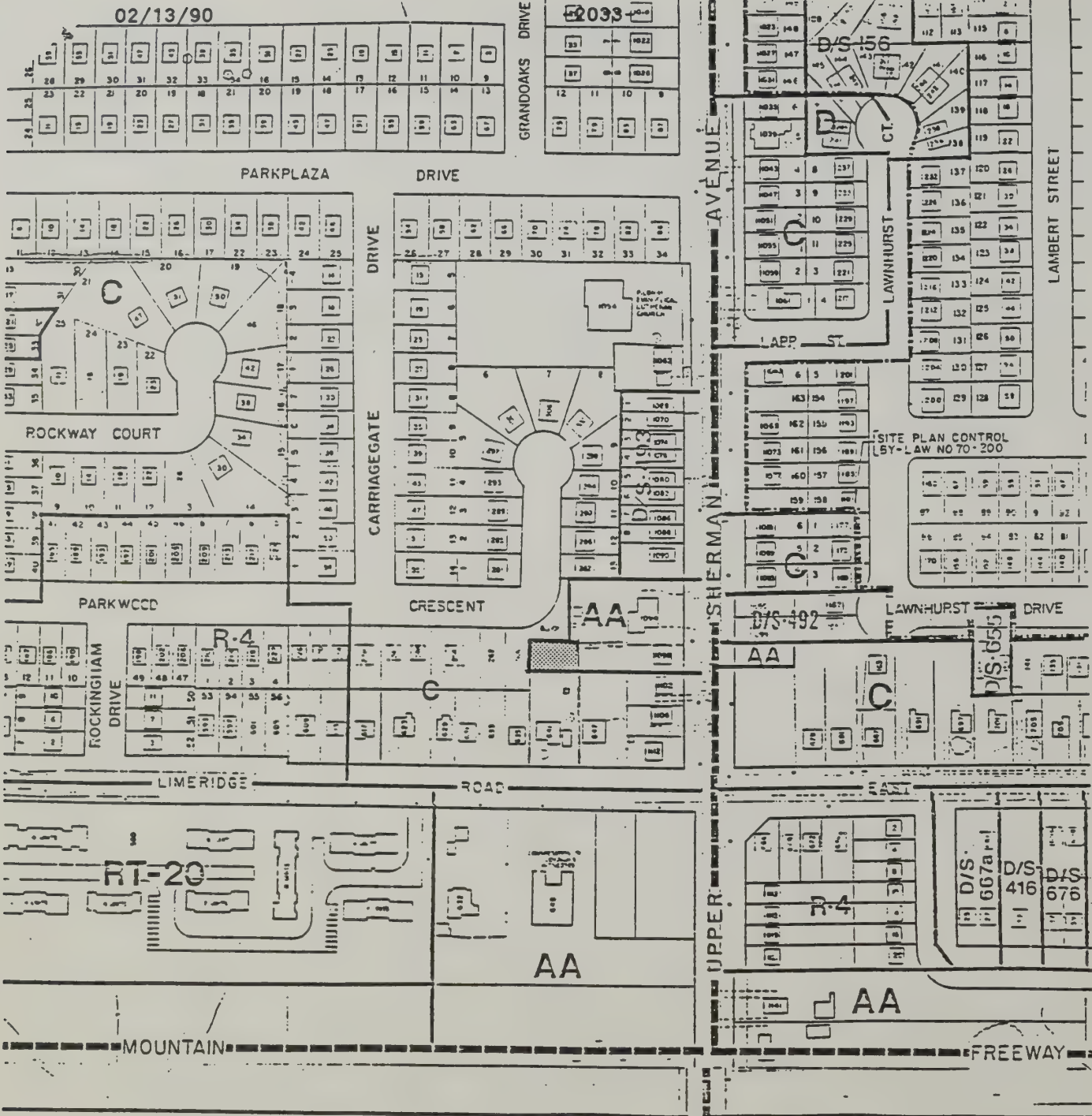


Site of the Application



Appendix 'K' as referred to in
Section 25 of the FOURTH Report
for 1990 of the Planning
and Development Committee.

02/13/90



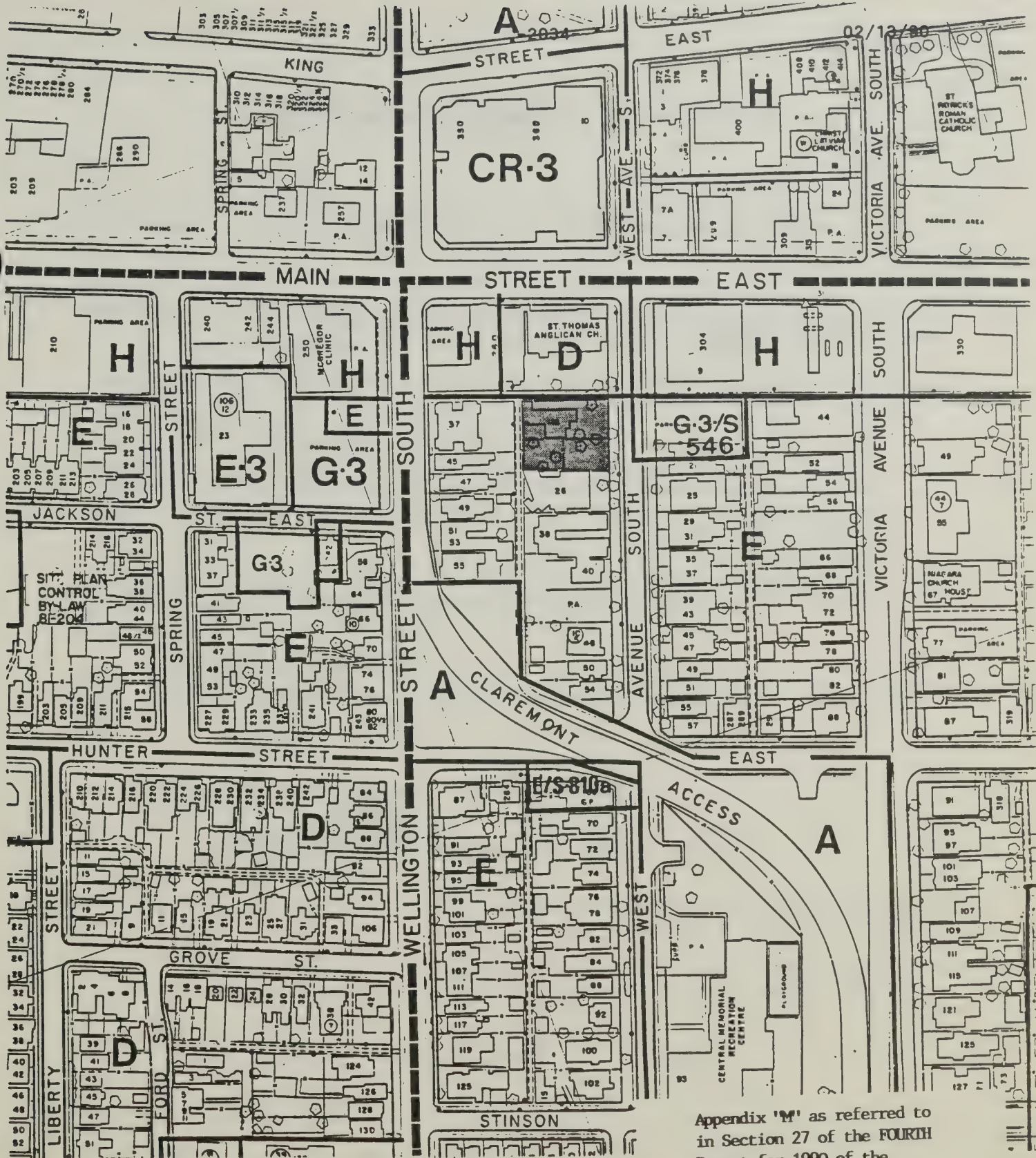
Appendix 'L' as referred to in Section 26 of the FOURTH Report for 1990 of the Planning and Development Committee.



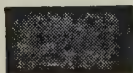
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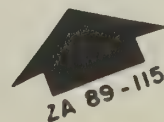
Site of the Application



LEGEND



SITE OF THE APPLICATION



Appendix 'M' as referred to in Section 27 of the FOURTH Report for 1990 of the Planning and Development Committee.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its FIRST Report for 1990 and respectfully recommends:

1. That the Taxi Cab Owner Licence application of Gary Pace, 1430 King Street East, Hamilton, be denied.

NOTE: For the information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1990 January 24, recommended that the licence application be denied on the grounds that Mr. Pace did not qualify with the requirement of By-law 89-249 in that he was not engaged in the Taxi Industry for the two years immediately prior to his application.

(Further information can be obtained from the Secretary).

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
LICENSING COMMITTEE

Stella Glover
Secretary

1990 January 24

/ag

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 20, 1990
7:15 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson,
Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross,
Murray.

ABSENT: Alderman Agro (Vacation)
Alderman McCulloch (Vacation)

The Clerk read the notice calling the meeting.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Christopherson, and
carried, that Council move into Committee of the Whole to consider the
following Report, with Mayor Morrow in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson,
Agostino, Lombardo, Smith, Jackson, Merling, Ross. - 13.

NAYS: 0. - CARRIED.

* * * * *

(A) FINANCE AND ADMINISTRATION COMMITTEE - FIFTH REPORT.

Recorded vote on Section 1 (Re: Request of St. Joseph's Hospital
for a Capital Grant).

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,
Ross. - 13.

NAYS: Aldermen Gallagher, Murray. - 2. CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Christopherson.

RESOLVED: that the Report of the Committee of the Whole on the above Report
be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson,
Agostino, Lombardo, Smith, Jackson, Merling, Ross. - 13.

NAYS: 0. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Christopherson.

RESOLVED: that the following Bill be now read a first time.

A-7

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Ross. - 13.

NAYS: 0. - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Christopherson, and carried, that Council move into Committee of the Whole to consider the following Bill, with Mayor Morrow in the chair.

A-7

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Ross. - 13.

NAYS: 0. - CARRIED.

Consideration of the Bill (second reading).

It was moved by Alderman Cooke and seconded by Alderman Christopherson.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bill, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Murray. 13.

NAYS: 0. - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Christopherson.

RESOLVED: that the following Bill be now read a third time.

A-7

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Ross. - 13.

NAYS: 0. - CARRIED.

City Council adjourned at 7.30 o'clock, p.m.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its FIFTH Report for 1990 and respectfully recommends:

1. That the request of St. Joseph's Hospital for a Capital Grant in the total amount of \$600 000 towards the construction of St. Joseph's Community Health Centre in East Hamilton be referred to the Council of the Regional Municipality of Hamilton-Wentworth for consideration and recommendation.

NOTE: At its regular meeting held 1990 February 8, the Finance and Administration Committee adopted the following motion:

"That approval be given in principle to the request of St. Joseph's Hospital for a Capital Grant in the total amount of \$600 000 to be used towards the construction of St. Joseph's Community Health Centre in East Hamilton to be considered in the Capital Budget process for inclusion in the 1990-1994 Capital Budget for financing over a period of three years conditional upon St. Joseph's Hospital receiving a \$400 000 contribution from the City of Stoney Creek.

While the Finance and Administration Committee is supportive of this request, it was felt at its Capital Budget Review Meeting on Thursday, 1990 February 15 that this was a matter to be more properly dealt with by Regional Council.

It is understood, however, that if the request of St. Joseph's Hospital is denied by Regional Council, it will be brought back to the Finance and Administration Committee for further consideration and recommendation."

2. That leave be granted to introduce the following Bill:

- (a) Bill A-7 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1990 February 15
/bc

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 27, 1990
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson,
Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross,
Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Donald A. Deas, Zion United Church, led the Council in prayer.

* * * * *

The following presentation of Civic Awards was made:

Hamilton Amateur Wrestling Club

* * * * *

The following Proclamation was read:

"Nutrition Month" - March 1990.

* * * * *

The minutes of the meeting of February 13, 1990 and the Special Meeting of
February 20, 1990, were taken as read and approved.

* * * * *

The following communications were received and forwarded to the appropriate
Committee, except as indicated:

1. Letter from The Association of Municipalities of Ontario Regarding the
Need for New Funding Relationships between the Province and the
Municipalities. (Previously Distributed). REFERRED TO THE FINANCE AND
ADMINISTRATION COMMITTEE.
2. Letter from The Association of Municipalities of Ontario Regarding the
Discussion Paper of the AMO Conditional Grants Review. (Previously
Distributed). REFERRED TO THE FINANCE AND ADMINISTRATION COMMITTEE.
3. Copy of a letter from the Insurance Bureau of Canada to the Mayor of the
Town of Milton regarding the Ontario Motorist Protection Plan. RECEIVED.

4. Memorandum from the Federation of Municipalities of Ontario regarding:

- (a) Radio Licence Fees
- (b) Official Languages Controversy

REFERRED TO THE FINANCE AND ADMINISTRATION COMMITTEE

- 5. Application from Mr. William Kosar "In Trust", 1030 Upper James Street, Suite 300, Hamilton, Ontario, for a change in zoning, property located at No. 912 Rymal Road East, dated February 13, 1990. RECEIVED.
- 6. Application from Patran Holdings Ltd., 21 Brockley Drive, Stoney Creek, Ontario, for a change in zoning, property located at No. 55 Queen Street North, dated February 14, 1990. RECEIVED.
- 7. Application from Taba Developments Ltd., c/o 160 Centennial Parkway North, Hamilton, Ontario, for a modification to the zoning, property located at No. 15 Unsworth Drive, dated February 14, 1990. RECEIVED.
- 8. Application from Mr. Rob Patterson, 212 James Street South, Hamilton, Ontario, for a further modification to the zoning, property located at No. 14 Duke Street, dated February 16, 1990. RECEIVED.
- 9. Application from Pietro Giraldi and Maria Giraldi, 779 Rymal Road, Hamilton, Ontario, for a change in zoning, property located at the rear of No. 779 Rymal Road, dated February 20, 1990. RECEIVED.
- 10. An open letter dated February 29, 1990, from Mr. Fred Loft, President, CUPE Local Five, 231 Bay St. North, Hamilton, Ontario, setting out various concerns with respect to the hiring process, the Performance Excellence Program, and the job evaluation process. REFERRED TO THE FINANCE AND ADMINISTRATION COMMITTEE.
- 11. A letter dated February 16, 1990, from Colin T. Millar, Chief of Police, to the Hamilton-Wentworth Regional Board of Commissioners of Police, regarding the response of the Hamilton-Wentworth Regional Board of Commissioners of Police to the Task Force on Race Relations and Policing. This letter was submitted to City Council by Alderman Wm. McCulloch, Chairman of the Hamilton-Wentworth Regional Board of Commissioners of Police, in response to the request of City Council as set out in Section 40 of the Second Report of the Finance and Administration Committee, adopted by City Council on January 30, 1990. RECEIVED.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Smith in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

(A) FINANCE AND ADMINISTRATION COMMITTEE - SIXTH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Cooke.

RESOLVED: that Section 8 re the Selection Procedure for the hiring of Department Heads be amended by adding the word "two", after the word "of", in the first line of Subsection (ii). - CARRIED.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT.

Recorded vote on Section 4, Subsection (d). (Re: PPM Canada Inc. Carrying Out PCB Decontamination).

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Kiss. - 1. CARRIED.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - THIRD REPORT.

Recorded vote on Section 3. (Re: Hamilton Harbour Commission's Marina Expansion Concept).

YEAS: Mayor Morrow; Aldermen McCulloch, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIFTH REPORT.

Recorded vote on Section 17. (Re: Zoning Application 89-110, Dennis Gordon LeBlanc, 220 Burlington St. East).

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Copps, Lombardo, Smith, Jackson, Gallagher, Murray. - 9.

NAYS: Alderman Christopherson. - 1. CARRIED.

* * * * *

NOTICES OF MOTION

It was moved by Alderman Agostino and seconded by Alderman Jackson.

RESOLVED: that the Council of The Corporation of the City of Hamilton endorse, in principle, the response of the Solicitor General with respect to the Report of the Task Force on Race Relations and Policing.

It was moved by Alderman Gallagher and seconded by Alderman Murray.

RESOLVED: that the Motion of Alderman Agostino, relating to the endorsement of the response of the Solicitor General with respect to the Report of the Task Force on Race Relations and Policing, be tabled to hear submissions from the public. -

YEAS: Aldermen Gallagher, Murray. - 2.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Ross. - 15. LOST.

Recorded vote on the Motion by Alderman Agostino, seconded by Alderman Jackson, regarding the Solicitor General's Response to the Report of the Task Force on Race Relations and Policing.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson. - 13. CARRIED.

* * * * *

It was moved by Alderman Drury and seconded by Alderman Gallagher.

RESOLVED: that the City of Hamilton Act, 1985, Sec. 9(2)(6)(i), Governing HECFI, be amended to reduce the composition of Aldermen appointees from 7 to 4, and that the City Solicitor be authorized and directed to make application for the necessary legislation.

It was moved by Alderman Gallagher and seconded by Alderman Cooke.

RESOLVED: that the Motion of Alderman Drury, relating to the composition of the HECFI Board, be amended by adding the following:

"That this amendment be effective January, 1, 1992." -

YEAS: Aldermen Cooke, McCulloch, Hinkley, Drury, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 10.

NAYS: Mayor Morrow; Aldermen Kiss, Copps, Christopherson, Agostino. - 5. CARRIED.

The Motion of Alderman Drury, regarding the composition of the HECFI Board, as amended, and reading as follows:

RESOLVED: that the City of Hamilton Act, 1985, Sec. 9(2)(6)(i), Governing HECFI, be amended to reduce the composition of Aldermen appointees from 7 to 4, and that the City Solicitor be authorized and directed to make application for the necessary legislation. That this amendment be effective January 1, 1992.

be adopted. -

YEAS: Aldermen Cooke, McCulloch, Hinkley, Drury, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 10.

NAYS: Mayor Morrow; Aldermen Kiss, Copps, Christopherson, Agostino. - 5. CARRIED

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman T. Jackson be appointed Acting Mayor for the month of March, 1990. - CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman McCulloch.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling. - 13.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-8,
B-16, B-17,
D-27, D-28, D-29, D-30, D-31, D-32.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling. - 12.

- NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Smith in the chair.

A-8,
B-16, B-17,
D-27, D-28, D-29, D-30, D-31, D-32.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling. - 12.

NAYS: 0 - CARRIED.

Consideration of the Bills (second reading).

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole (second reading)
on the Bills, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling. - 12.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-8,
B-16, B-17,
D-27, D-28, D-29, D-30, D-31, D-32.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling. - 12.

NAYS: 0 - CARRIED.

City Council adjourned at 9.45 o'clock, p.m.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its SIXTH Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Holland Chev Olds, Burlington, in the amount of \$19 992.96 for the purchase of one (1) Full Size Station Wagon for the Hamilton Fire Department to replace unit No. 1676, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Vehicle Replacement Account No. CH5X502 00101.

2. That a purchase order be issued to Hamilton Motor Products, Hamilton, in the amount of \$15 251.76 for the purchase of one (1) Full Size Van Style Body Truck for the Hamilton Fire Department to replace unit No. 1675, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of six (6) tenders received. Funds provided in Vehicle Replacement Account No. CH5X502 00101.

3. That a purchase order be issued to Hamilton Motor Products, Hamilton, in the amount of \$72 047.88 for the purchase of three (3) Commercial Vehicles for the Hamilton Fire Department to replace units Nos. 1667, 1677, 1678, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of five (5) tenders received. Funds provided in Vehicle Replacement Account No. CH5X502 00101.

4. That the request of Miller Thomson, Barristers & Solicitors, who act on behalf of an environmental group, for permission to the use of the name "Hamilton" in the proposed incorporation of a non-profit organization for "Hamilton Environmental Action Team", be approved.

NOTE: This group wishes to be involved with various environment issues in Hamilton, including efficient methods of recycling, public information regarding environmental matters, appropriate waste disposal, and so forth.

5. That the request of the Hamilton Region Conservation Authority for permission to use Room 233 to hold a public meeting on Thursday, 1990 April 5 at 7:30 o'clock, p.m., be approved.
6. (a) That effective 1990 May 31, the City terminate the lease with the Region of premises at 125 Barton Street West, Central Services Building, presently occupied by the Regional Waterworks Maintenance Division, and that the annual rental of \$67 075 charged to the Region be adjusted accordingly on a pro-rata basis to reflect the Region vacating the space on this date.

(b) That the City Solicitor be authorized to amend the City/Regional Master Lease Agreement accordingly.

NOTE: In adopting Item 3 of the SIXTEENTH Report of the Finance Committee, City Council on 1988 November 8 approved the renewal of the City/Regional Master Lease Agreement.

Included in the agreement is the lease of space at 125 Barton Street West (Central Services Building) for the Waterworks Maintenance Division. This division is moving into Regional facilities at 489 Victoria Avenue North and no longer requires the City's space.

The lease agreement calls for the provision that the Region could upon 90 days notice terminate any portion of the Master Lease. The Property Department has received said notice from the Engineering Department.

7. That the additional City's Share of Services to be installed in "Modified Subdivision Agreement - Courtland Avenue and Stone Church Road West" in the gross amount of \$3 700 as approved by City Council on 1990 February 13 on the recommendation of the Finance and Administration Committee, be financed from the Reserve for City's Share of Services through Unsubdivided Lands.
8. That the Selection Procedure for the hiring of Department Heads be amended to include:
 - (i) the Mayor on the Selection Committee,
 - (ii) appointment of two additional members by the Finance and Administration Committee, for appointment of positions under the jurisdiction of the Finance and Administration Committee, and
 - (iii) all Council Members to be invited to attend such meetings.

9. That the Summary Report attached hereto as Appendix "A" containing a listing and amounts of approved Settlement of Claims, be received.
10.
 - (a) That the Finance and Administration Committee be designated to be the "Head" for purposes of Bill 49 "An Act to Provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards", and that the City Solicitor be directed to prepare a by-law to give effect to this designation.
 - (b) That the Finance and Administration Committee delegate its authority under Bill 49 to a "Freedom of Information and Privacy Coordinator".
 - (c) That Mr. S. G. Hollowell, Manager, Records Division, City Clerk's Department, be appointed Freedom of Information and Privacy Coordinator.
 - (d) That a Coordinating Committee comprised of the Freedom of Information and Privacy Coordinator and a senior manager from each civic department be established to prepare the City of Hamilton for implementation of Bill 49.

NOTE: The Municipal Freedom of Information and Protection of Privacy Act, 1989 comes into effect on 1991 January 1. The Act affects municipalities and local boards, agencies and commissions, and will require substantial preparation prior to its implementation. The purposes of the Act are to provide a right of access to information under the control of institutions and to protect the privacy of individuals with respect to personal information about themselves held by institutions.

11.
 - (a) That an Offer to Purchase executed by Joseph T. Radigan, James R. Radigan, Mary Luella Radigan and Paul Joseph Radigan, dated 1990 February 15 and scheduled for closing on or before 1990 April 24, for the purchase of the property at 181 Jackson Street East, be approved and completed.
 - (b) That upon finalization of this transaction, the Regional Surveyor be directed to take the necessary action to incorporate the land being retained for road widening purposes into the road allowances of Jackson Street East and Ferguson Avenue South.

NOTE: The subject property has a frontage along the northerly limit of Jackson Street East of 32.2 feet (more or less), containing 1 636 square feet (more or less) with the exact area to be determined by a survey prepared by the Regional Surveyor. The purchase price of \$57 260 (subject to adjustments pursuant to the completion of a survey) is to be credited to Account No. CH4X501 00102. A certified deposit cheque in the amount of \$5 700 is being held by the City Treasurer pending approval of this transaction.

12. That the following resolution from the City of Peterborough recommending that the impact of the reductions in unconditional grants be identified and measured against the rate of inflation as a special levy over and above the City's tax requirements, be endorsed:

WHEREAS the Federal Government is attempting to deal with debt and deficit problems by reducing transfer payments to Provincial Governments;

AND WHEREAS the Ontario Provincial Government is responding, in turn, by restraining unconditional grant payments to municipalities;

AND WHEREAS the Ontario Provincial Government is at the same time mandating additional responsibilities to municipalities with no related funding support;

AND WHEREAS the City of Peterborough has either to implement significant program and service reductions, or pass on the cost of Provincial revenue shortfalls to municipal taxpayers;

THEREFORE BE IT RESOLVED THAT The City of Peterborough identify the impact of Provincial revenue measured against the rate of inflation as a special levy over and above the City's 1990 annual tax requirements;

AND that this approach be recommended to future council's for their consideration;

AND FURTHER, that a copy of this resolution be sent to all municipalities over 25,000 population, and to the Association of Municipalities of Ontario.

13. That the correspondence from Mr. Brian Dowd, Ontario Public Service Employees Union, Local 207, dated 1989 December 15, requesting an opportunity for the Ambulance Division Committee to make a presentation to City Council regarding issues on ambulance service, be received.
14. That leave be granted to introduce the following Bill:
- (a) Bill A-8 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE

John Thompson, Secretary
1990 February 22

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Mrs. Restauri	City of Hamilton	Motor Vehicle Accident 1988 July 1	Adjusting Assessable Disbursement Amount of \$125.00
Connie McKay	City of Hamilton	Trip and Fall 1988 July 18	\$ 8 500.00

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its THIRD Report for 1990 and respectfully recommends:

1. That 603979 Ontario Ltd. (Dan Valentini - Taro Homes) be authorized to include the City owned 1' Reserve located on the east side of Acadia Drive in its applications for registration of its own land into the Land Titles System.

NOTE: The subject reserve is part of Lot 9, Concession 8 in the City of Hamilton and shown as Part 14 on Plan 62R- prepared by A. J. Clarke and Associates Ltd., January 11, 1990.

2. That the City Solicitor be authorized and directed to prepare a By-law to incorporate certain City lands into various streets, as described in Schedule "A" appended hereto.
3. That the Service Agreement, dated December 17, 1962 between the City of Hamilton and Ryckman's Corners Enterprises Limited for lands on the east side of Upper James Street, municipally known as 1565 Upper James Street, be discharged as it is no longer required.

NOTE: This Service Agreement was entered into for the purpose of conveying specific lands to a Stanley Boyce and Olga Boyce and servicing the said lands.

As this Agreement is no longer required, the solicitors acting on behalf of the purchaser, (DiCenzo Construction Company) wish to clear the property title.

4. That the local Approvals Branch of the Ministry of the Environment (MOE) be informed that:
 - (a) The City of Hamilton has no objection to PPM Canada Inc. carrying out PCB decontamination of 3 782 litres of PCB contaminated mineral oil at the Region's Water Pumping Station at 850 Greenhill Avenue Hamilton, provided that all environmental safeguards are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional By-laws are complied with fully;

- (b) No specific City of Hamilton or Regional permits are required for the work proposed by PPM Canada Inc.
- (c) If provision has not been made by the MOE to advise the Greenhill Avenue residents of the proposed work to be carried out at 850 Greenhill Avenue, PPM Canada Inc. will carry out the necessary notification of area residents; and
- *(d) The 30 day notification period that is normally required after a Certificate of Approval is issued be waived so that the proposed work can be carried out as scheduled.

- 5.
- (a) That the Regional Municipality of Hamilton-Wentworth and the Hamilton Wentworth Regional Board of Police Commissioners be advised that the City of Hamilton wishes to administer the School Crossing Program effective April 1, 1990; and
 - (b) That area municipalities within the Region other than the City of Hamilton be offered the opportunity to continue participating in the School Crossing Program under the administration of the City of Hamilton in accordance with the financial arrangements previously in place under the direction of the Regional Police Commission; and
 - (c) That the responsibility for administering the School Crossing Program be under the jurisdiction of the Director of Traffic Services; and
 - (d) That the existing Legislative Manager position be retitled Manager of Legislation and School Traffic and that the position of School Crossing Co-ordinator be approved within budget; and
 - (e) That the Director of Property and the Director of Traffic Services be directed to investigate the temporary leasing of the necessary office and storage space (approximately 500 square feet) to accommodate the school crossing administrative staff within budget.

NOTE: The School Crossing Program can be administered by the City of Hamilton Traffic Department in accordance with the 1990 administrative budget approved by the Hamilton-Wentworth Regional Board of Police Commissioners.

In October 1989, the Hamilton-Wentworth Regional Board of Police Commissioners agreed to recommend that the School Crossing Program be transferred to the Region effective January 1, 1990. Regional Council on the recommendation of the Finance and Personnel Committee forwarded this matter to the area municipalities for their information and comments as well as the Regional Engineering Services Committee for a report.

* Recorded vote, see page 2041

The School Crossing Program currently administered by the Regional Police Department includes the conducting of studies and administration of the Program for the entire Region, including 195 school crossing guards (176 full-time guards and 19 spares) and three supervisors. The assignment of school crossing guards to specific locations is approved and entirely funded by the six area municipalities. The cost to administer the Program is also paid by the area municipalities on a proportional basis to the number of school crossing guards within each municipality.

The Director of Traffic Services has reviewed the Program and proposed budget of \$1 217 450. in detail and has concluded that this Program can be administered by his Department within the proposed budget.

6. That the Chairman or his designate be authorized to attend Canada's National Safety Conference from June 3 to June 5, 1990 in Halifax, Nova Scotia.
7. That leave be granted to introduce the following Bills:
 - (a) B-16 A By-law to Amend Local Improvement By-law No. 10605
Respecting Revised Costs to the Corporation for the
Installation of Local Improvements
 - (b) B-17 A By-law to Incorporate Parts 1 and 2, Plan 62R-10706 and Parts
16 and 18, Plan 62R-9968 into Emperor Avenue

Respectfully Submitted,

J. J. Schatz
Acting Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1990 February 19

mjlw

SCHEDULE "A"

<u>Incorporating into Street Name</u>	<u>Description of Lands being Incorporated</u>	<u>Financial Implications</u>	<u>Reason for being Incorporated</u>	<u>File No.</u>
Rupert Court	Part 1, Plan 62R-10882	(NIL)	To provide access from Rupert Court (as est'd by By-Law No. 88-73) to Rupert Court, Plan 62-588	S701-48
Quincy Court	Block 19, Plan 62M-471 (excepting Parts 4 & 5 Plan 62R-8468)	(NIL)	To provide access from abutting lands to and from Quincy Court (as est'd by Plan 62M-471)	S717-07

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its THIRD Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Delmar Contracting Limited, Fruitland, in the amount of \$28 935. for the supply and installation of concrete abutments for the Bow Valley Pedestrian Bridge, in accordance with vendor's quotation.

NOTE: Lowest of three (3) quotations received. Funds provided in Bow Valley Pedestrian Bridge Account No. CH56398 62910.

2. (a) That approval be given to continue the lease agreement between the City of Hamilton and Her Majesty the Queen in right of Canada represented by the Minister of the Environment (National Water Research Institute) for the use of City lands lying immediately east of 57 Beach Boulevard from 1988 December 31 to 1991 December 31 subject to either party having a right to terminate the agreement on thirty days notice.
- (b) That the City Solicitor be directed to finalize this agreement.

NOTE: This agreement covers the use of City owned lands lying immediately east of 57 Beach Boulevard. The lands are to be used to maintain a trailer on the side for the purpose of conducting a beach erosion study to better understand wave and coastal processes in Lake Ontario. The lease amount is \$1.00.

- * 3.
- (a) That the Hamilton Harbour Commission's Marina Expansion Concept, attached herewith and marked Appendix "A" as presented to the Parks and Recreation Committee at its meeting held 1989 December 5, subject to the completion and approval of the Federal Environmental Assessment process, be endorsed.
 - (b) That, subject to the Hamilton Harbour Commission's Marina Expansion Concept receiving Environmental Assessment approval, the City Solicitor's Department be directed to prepare an easement agreement to allow the Hamilton Harbour Commission access over City lands, as illustrated on the Plan, attached herewith and marked Appendix "B", for the construction and maintenance of the "public landscaped breakwater".
 - (c) That staff of the Community Development and Public Works Departments be authorized to prepare a development concept plan for Pier 4 Park in conjunction with the Hamilton Harbour Commission's Marina Expansion Concept, the 1985 Waterfront Master Plan, the Marshall Macklin Monaghan concepts prepared to date and subject to the Action Plan attached herewith and marked Appendix "C".
 - (d) That construction of the proposed public boat launch on the Hamilton Waterfront be initiated no later than the Spring of 1991 to ensure full facility operation for the 1991 boating season and to facilitate a full review of the Boat Launch Action Plan, attached herewith and marked Appendix "D".

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

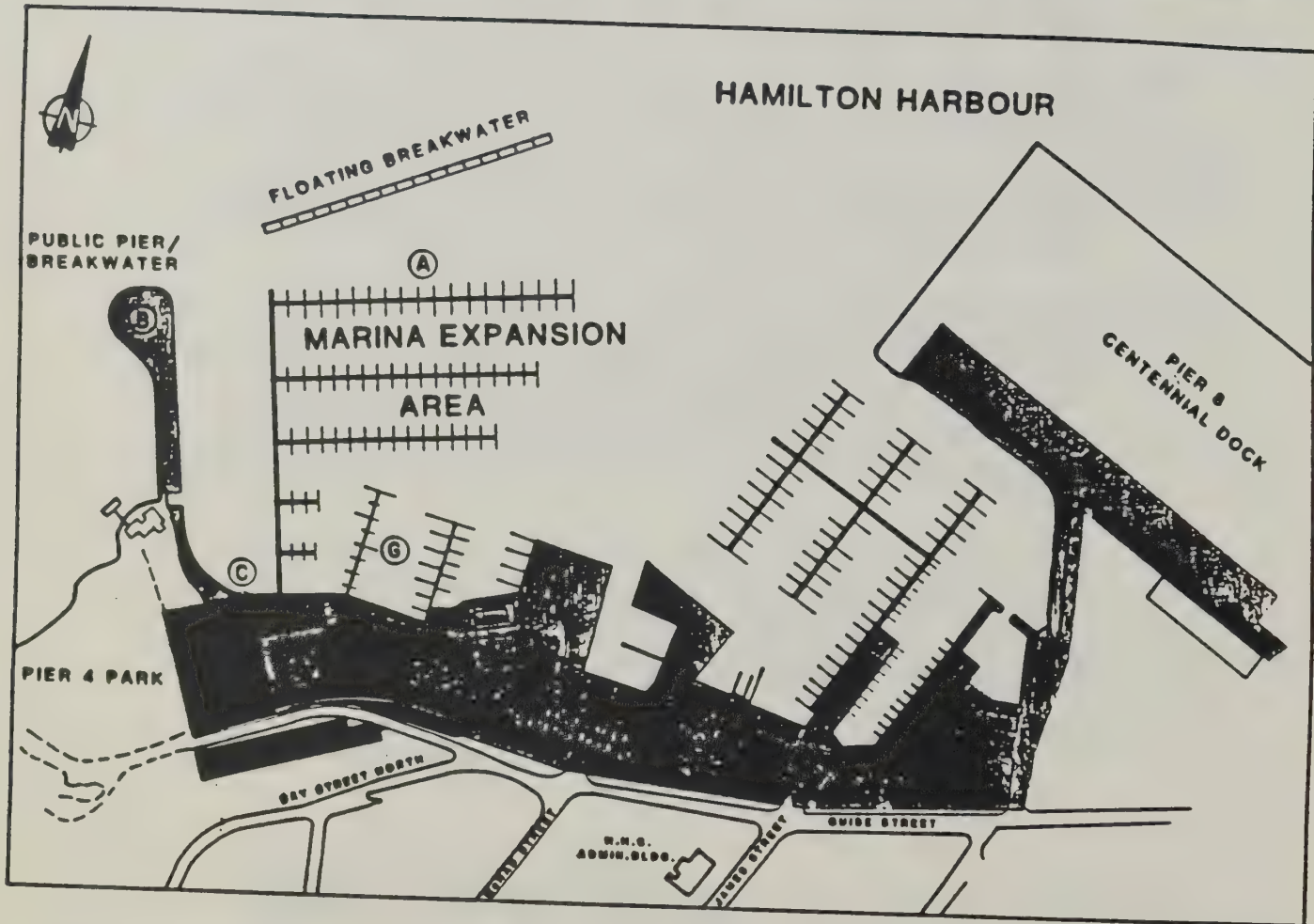
Susan K. Reeder, Acting Secretary
1990 February 20

mjlw

* Recorded vote, see page 2041

MARINA EXPANSION CONCEPT

HAMILTON HARBOUR



Area Designation

Activity

Function

(A) Marina	Pleasure craft	Approximately 316 new slips phased to market demand.
(B) Public Pier / Breakwater	Public viewing and and fishing pier	Passive recreational, fish habitat enhancement.
(C) Sailing Area	Scullers and HHC Sailing School	Protected zone for launch and sail activities.
(D) Leander Boat Club	Sculling, social events, HHC Sailing School	Relocated sailing school from Pier 8.
(E) Dry Sail Compound	Small boat storage	Secure fenced area for boat storage.
(F-1) Car Parking	Common parking	Parking for approximately 270 cars.
(F-2) Car Parking	Overflow parking	For public pier and Pier 4 park.
(G) Existing HYC Boat Slips	Pleasure craft	To be replaced with new slips in future.

Appendix "A" as referred
to in Section 3 of the
THIRD Report for 1990
of the Parks and
Recreation Committee

THE HAMILTON HARBOUR COMMISSIONERS'
MARINA EXPANSION CONCEPT
HAMILTON HARBOUR

INFORMATION SHEET

The Commissioners operate the only full service marina facility in the western end of Lake Ontario. The existing marina consists of 235 small craft slips with an additional 90 offshore mooring cans. The Commissioners have operated its recreational boating marine dockyard facility for over 50 years. The last slip expansion was in the early 1970's and there is annually a waiting list for their use.

The proposed marina expansion will not only add more slips to serve the boating public but will co-ordinate and rationalize a number of related waterfront uses requiring access and use of the marina. These uses are the Commissioners marine dockyard and sailing school, the facilities of the Hamilton Yacht Club, the Leander Club and the Pier 4 Park. It is anticipated that proposed development will have a positive affect on each of these activities and will act together to increase the overall attraction and use of this waterfront area.

1. Infrastructure

a) Public Pier/Breakwater

- rubble mound breakwater
- width - 15 m to 45 m (50 ft. to 150 ft.)
- length - 145 m (475 ft.)
- public access from Pier 4 park
- major features include wave break, public access, fishing opportunities, fish habitat, tours and transient boating.

b) Floating Breakwater

- 210 m (700 ft.) floating breakwater
- timber and steel pipe floats anchored into position
- navigational lighting.

c) Marina

- 228 additional berths
- consists of fixed and floating walkways
- fixed walkway
 - 210 m long x 3 m wide (700 ft. x 10 ft.)
 - parallel and distant 61 m (200 ft.) to public pier/breakwater
- floating walkways
 - 60 modules providing 4 berths each
 - modules arranged to provide 5 floating walkways of varying length
 - fully serviced - water, power, telephone

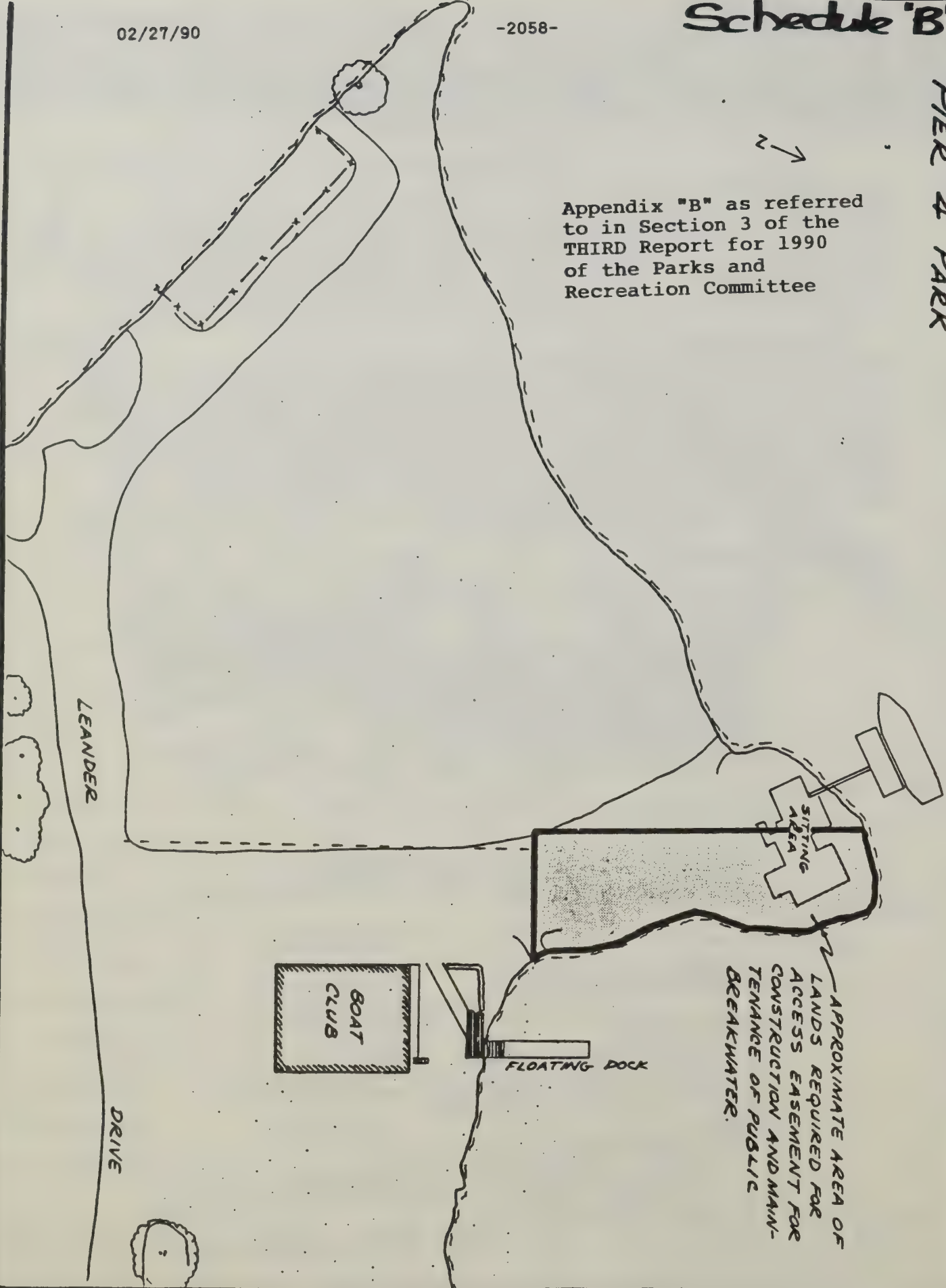
02/27/90

-2058-

Schedule 'B'

PIER 4 PARK

Appendix "B" as referred
to in Section 3 of the
THIRD Report for 1990
of the Parks and
Recreation Committee



**Pier-4 Park Development
Action Plan**

Appendix "C" as referred
to in Section 3 of the
THIRD Report for 1990
of the Parks and
Recreation Committee

- Objective:** Develop a Concept Plan for Pier-4 Park which recognizes the "best use" potentials for the site in conjunction with the:
- Harbour Commission's Marina Expansion Proposal
 - 1985 Waterfront Master Plan
 - Market, Financial, Conceptual and Management Study
 - Provincial Environmental Assessment Study

The development concept will integrate desirable components from the above noted sources without adversely affecting the:

- ongoing Environmental Assessment process
- Marshall Macklin Monaghan Study
- committed Provincial funding
- overall Waterfront Development Plans, yet to be finalized

Specific design consideration and investigations shall include, but not be limited to, the following:

- a) Investigate soil conditions on Pier-4 Park to ensure landfill material is satisfactory in regard to Provincial Environmental guidelines.
- b) Investigate the full range of public uses both summer and winter, best suited to Pier-4 Park, in context with the implications of the Harbour Commission's Marina Expansion Concept and the 1985 Waterfront Master Plan and Marshall Macklin Monaghan Study.
- c) Co-ordinate shoreline protection treatment and fish habitat enhancement with Harbour Commission's plans and Environment Canada.
- d) Co-ordinate landscape and design details with Harbour Commission's plans to blend and unify the separate developments.
- e) Determine parking requirements, traffic flow and access to adequately service proposed facilities and integrate with future waterfront plans.
- f) Determine best alternatives for accommodating various community service clubs currently leasing space in Pier-4 Park. i.e. potential for integrating 'Y's Sailing Club, Boy Scouts and Hamilton Harbour Commission's Sailing School into the Leander Building as per 1985 Master Plan.
- g) Investigate feasibility of relocating "Macassa Bay" tour boat to proposed tour boat designated area on Hamilton Harbour Commission's proposal.
- h) Investigate impact of proposals upon adjacent land users.

- i) Determine maintenance requirements and other associated costs. ~
- j) Establish a planning and reporting schedule to identify "critical path" and requirements for updating appropriate committees of Council.
- k) Establish a work schedule and details to maximize potential to complement Hamilton Harbour Commission's plans and schedules including opportunities to lessen overall development period and unit costs for construction.
- l) Investigate potential funding sources i.e. -
 - Existing Parks Development Budget (1990 - \$90,000.00)
 - Provincial and Federal Funding
 - Waterfront Capital Budget
 - Joint funding on Hamilton Harbour Commission and City facilities

BOAT LAUNCH ACTION PLAN

Development of a public boat launch on the Hamilton Waterfront is desirable due to:

- accessibility to many residents
- peaceful area of Hamilton Harbour for pleasure craft launching
- maintaining accessibility of the Bayfront to the boating public.

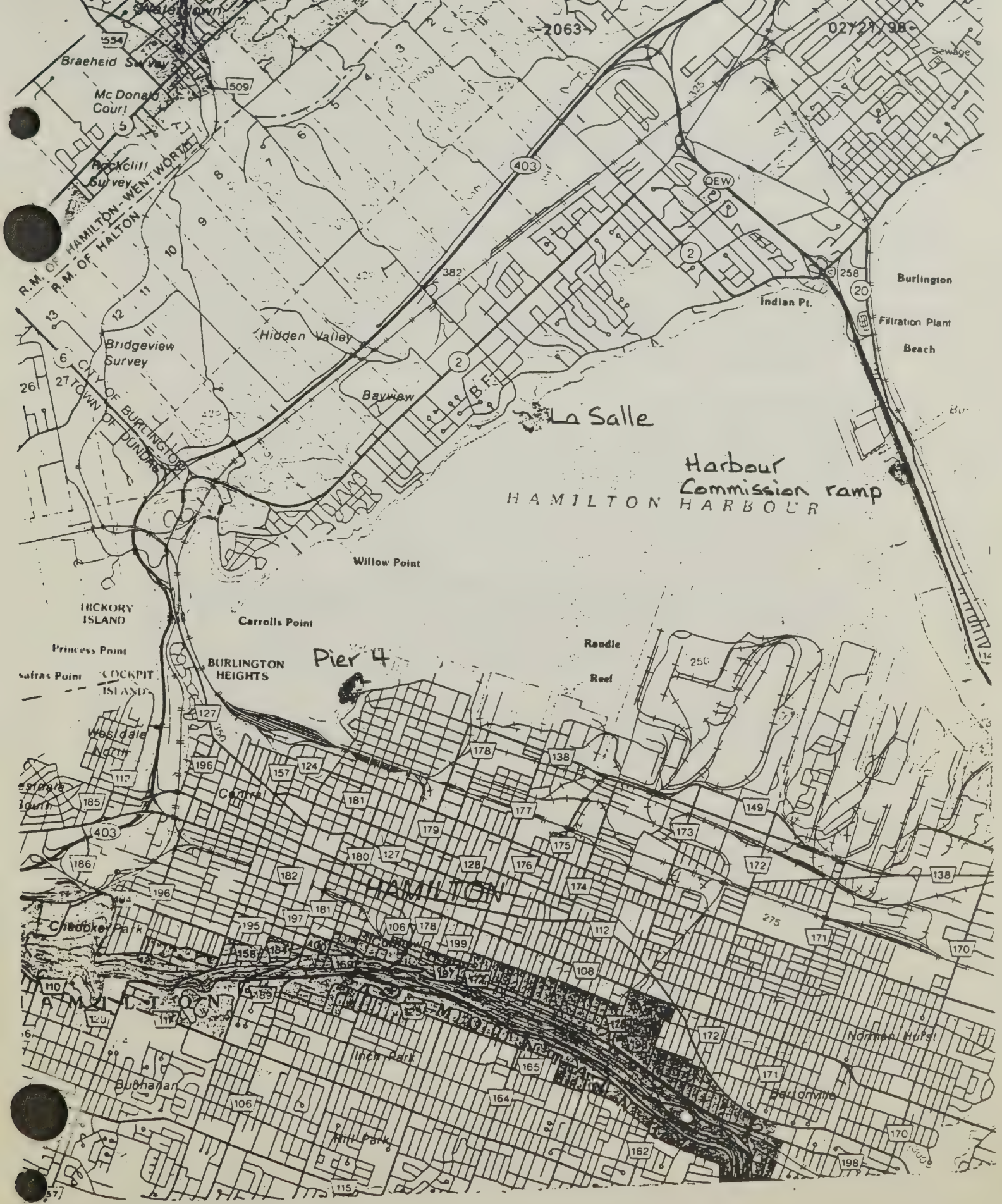
While the immediate development of a launch facility may be desirable to encourage public use, launch facilities currently in operation on the Hamilton Harbour including:

- the Harbour Commission launch adjacent to the canal
- the 2 launches operated by the City of Burlington at LaSalle Park (as indicated on the attached map).

appear capable of handling the current demand levels. On this basis, a delay in construction of the Hamilton public launch facility to allow a review of the following areas of study, is considered reasonable.

- 1) Investigate soil conditions at potential launch sites to ensure landfill material is satisfactory in regard to Provincial Environmental guidelines.
- 2) Investigate the need and usage anticipated for this facility to determine the number of parking spaces required, and size of the facility required.
- 3) Review the options for launch supervision and boat launching charges.
- 4) Investigate the impact of the proposal on adjacent land users including vehicular traffic flow implications upon residential areas and boating traffic impact upon existing boating operations. Such as:
 - Hamilton Bay Sailing Club
 - Ernie Cableau's Macassa Bay Tour Boat
 - Boy Scouts
 - Leander Boat Club
 - Scott McDonald's Marina
- 5) Investigate the full impact of a boat launch facility within Pier-4 Park upon all other uses for the Park site including
 - a cost/benefit review of utilizing the limited available park land for parking and interior roadways which would service boaters and their vehicles who require only an access point to reach the water not access to the park land itself.
- 6) Determine the best location for constructing a permanent launch facility including
 - sites currently occupied by the Boy Scouts
 - sites outside the boundaries of Pier-4 Park
- 7) Determine maintenance requirements and other associated costs.

- 8) Investigate potential sources of funding such as the Federal Ministry of Oceans and Fisheries, Small Craft Harbours Branch.
- 9) Co-ordinate the launch facility studies with any and all related Pier-4 Park Master Plan Development activities.



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its FIFTH Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 1500 Upper Ottawa
 - (b) 1514 Upper Ottawa
 - (c) 1522 Upper Ottawa
 - (d) 1489 Upper Gage
 - (e) 1491-1495 Upper Gage
2. (a) That, the Commercial Improvement Programme Selection Criteria, as shown on the attached marked as Appendix "A", be amended to include a stipulation requiring that a B.I.A., to be eligible under the Programme, must have an annual operating budget with levies averaging not less than one hundred dollars (\$100.) per member per year; and,
 - (b) That, the Commercial Facade Loan Programme eligibility requirements be amended to stipulate that the member B.I.A. for each application must have an annual budget with average levies of one hundred dollars (\$100.) each per year per member.
3. That a repayable loan, in the amount of forty-five thousand dollars (\$45,000.) be approved under the Commercial Facade Loan Programme for 283-285-287 King Street East, Agommen Ltd., c/o A. Ammendolia, M. Nusca, G. Piccini and F. Zanette. The interest rate will be 6-1/2 percent, amortized over 10 years.
4. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owners, Aiden Tuite, William Pickard, Luigi Centurami and 441138 Ontario Limited, of Lot 38, Plan M-227, 175 Nebo Road to release the property from the construction covenants to the City as contained in Deed Instrument #226207 L.T. Registered 1988 June 15.

5. That the City Solicitor be authorized to prepare a Quit Claim Deed for the City of Hamilton to the present owner, R. G. Duffie Contracting Ltd. of 15 Goderich Road, Hamilton, Ontario to release the property from the construction covenants to the City as contained in Deed Instrument #382500 C. D. Registered on 1986 October 8.
6. That Section 12 of the 16th Report for 1988 of the Planning and Development Committee as approved by City Council on 1988 July 26, be further amended as follows:
 - (a) That the Offer to Purchase agreement dated 1988 June 17, be amended by adding the following clause:

"Notwithstanding paragraphs 6.3 (1) (2) (3) hereof, should the Transferee decide to construct an industrial condominium, in accordance with municipal, regional, and provincial requirements, the Transferee shall be entitled to enter into Agreements of Purchase and Sale in respect of the units to be contained within such condominium and shall further be entitled to transfer such condominium units to such Purchasers without such sales or transfers being deemed an act or acts of default hereunder".
 - (b) That the Purchaser's solicitor must prepare all necessary agreements and deeds subject to the approval of the City Solicitor.
 - (c) That any costs incurred by the City in this regard will be borne by the Purchaser.
7. That Section 8 of the 17th Report for 1989 of the Planning and Development Committee as approved by City Council on 1989 July 25, be further amended as follows:
 - (a) That the Offer to Purchase agreement dated 1989 June 20, be amended by adding the following clause:

"Notwithstanding paragraphs 6.3 (1) (2) (3) hereof, should the Transferee decide to construct an industrial condominium, in accordance with municipal, regional, and provincial requirements, the Transferee shall be entitled to enter into Agreements of Purchase and Sale in respect of the units to be contained within such condominium and shall further be entitled to transfer such condominium units to such Purchasers without such sales or transfers being deemed an act or acts of default hereunder".

11. (a) That approval be given to the "Intent to Designate" the single-family dwelling at 33 Undermount Avenue as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983 as outlined in the "Reasons for Designation" attached herewith and marked as Appendix "B"; and,
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

NOTE: L.A.C.A.C. is recommending approval of this designation in response to a written request for designation from the owners of the house.

12. That approval be given to amended Zoning Application 89-117, J. Peace, owner, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified (Block "1"), and "C" (Urban Protected Residential, etc.) District (Block "2") to recognize the existing two-family dwelling (Block "1") and to permit the development of the remaining lands for single-family dwellings (Block "2"), for the property located at 322 Mount Albion Road, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That Blocks "1", "2" and "3" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 9(1), the following additional residential use shall be permitted:
 - (1.) The two family dwelling existing on the date of the passing of the By-law;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1162, and the subject lands on Zoning District Map E-88 be notated S-1162;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-88 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan of the Hamilton Planning Area.

- (b) That the Purchaser's solicitor must prepare all necessary agreements and deeds subject to the approval of the City Solicitor.
 - (c) That any costs incurred by the City in this regard will be borne by the Purchaser.
- 8. That approval be given to Proposed Draft Plan of Condominium Application SA-89-23, "Robinson Place", John Bruce Robinson Construction Ltd., owner, to establish a draft plan of condominium located at the south-west corner of Bigwin Road and Pritchard Road, subject to the following conditions:
 - (a) That this approval apply to the Plan prepared by A. J. Clarke and Associates Ltd., dated 1989 September 27.
 - (b) That the owner satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.
- 9. That approval be given to Proposed Draft Plan of Condominium Application SA-89-24, "Bentley Place", Branocon (Hamilton) Ltd., owner, to establish a draft plan of condominium located at the north-east corner of Jackson Street West and Caroline Street South, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1989 August 29.
 - (b) That the owner satisfy the financial requirements of the Regional Municipality of Hamilton-Wentworth.
- 10. That approval be given for Proposed Draft Plan of Condominium Application SA-89-27 by "Kingsmount Place Properties I Inc.", owner, to establish a draft plan of condominium located on the north-west corner of Broughton Avenue and Grayrocks Avenue, subject to the following conditions:
 - (a) That this approval apply to the plan prepared by J. D. Barnes Limited dated 1989 October 10, showing 33 Townhouse Units.
 - (b) That the owner satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the by-law is to provide for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified (Block "1") and "C" (Urban Protected Residential, etc.) District (Block "2"), for the property located at 322 Mount Albion Road.

In addition, a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "3") is provided for the remnant parcel of land at the south end of 316 Mount Albion Road.

The effect of the by-law is to recognize the existing two-family dwelling (Block "1"), to permit the development of the remaining lands for single-family dwellings (Block "2"), and to establish uniform zoning across the property at 316 Mount Albion Road (Block "3").

13. (a) That approval be given to Proposed Draft Plan of Subdivision Application SA-89-29, Henry Young, prospective owner, to establish a draft plan of subdivision on the west side of Mount Albion Road south of Kingswood Drive, subject to the following conditions:
- (i) That approval apply to the plan prepared by MacKay, MacKay and Peters Limited, dated 1989 October 30, showing 15 lots, one block (Block "16") for development with adjacent lands and revised to show a 0.3m reserve (Block "17") along the open side of the road allowance.
 - (ii) That the street be dedicated to the City of Hamilton as public highway on the final plan.
 - (iii) That the street be named Glen Forest Drive.
 - (iv) That the final plan conform to the zoning by-law approved under The Planning Act.
 - (v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 - (vii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the final plan to the City of Hamilton for park purposes.
 - (viii) That Block "16" be developed in conjunction with abutting lands.

- (ix) That the open side of the road allowance be terminated with a 0.3m reserve (Block "17") to be conveyed to the City of Hamilton and be held by the City until required for development of the adjacent lands.
 - (x) That the street align with the existing streets to the north and south.
 - (xi) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (xii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-89-29), Henry Young, prospective owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
14. That approval be given to Zoning Application 89-118, John Bellfontaine, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at 335 Rymal Road East, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D for presentation to City Council;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at 335 Rymal Road East.

The effect of the By-law is to permit development of the rear part of the subject lands for single-family detached development.

15. That approval be given to Amended Zoning Application 89-121, Gerald and Alice Mulligan, owners, and Ann Kowalchuk, lessee, for a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, to permit three dwelling units and a gift shop, for property located at 1035 Main Street East, as shown on the attached map marked as Appendix "E", on the following basis:

(a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 81-187, applicable to the subject lands, be modified to include the following variances as special provisions:

(i) That notwithstanding Section 11A(1)(iii) of Zoning By-law No. 6593, a gift shop shall also be permitted;

(ii) That notwithstanding Section 19(iii) of Zoning By-law No. 6593, the dwelling unit occupying the first floor of the existing building shall have a minimum floor area of 45 m²;

(iii) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, each required parking space shall have a minimum width of 2.6 m (8.5 feet);

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-746a, and the subject lands on Zoning District Maps E-44 and E-45 be notated S-746a;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-44 and E-45 for presentation to City Council; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the proposed By-law is to provide for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at No. 1035 Main Street East.

The effect of the By-law is to permit a gift shop and three dwelling units within the existing building.

In addition, the By-law provides the following as special provisions:

(a) That each of the required four parking spaces shall have a minimum width of 2.6 m (8.5 feet), whereas the By-law requires 2.7 m (8.85 feet); and

(b) The first floor dwelling unit shall have a minimum floor area of 45 m² (488 square feet), whereas 65 m² (699 square feet) is required.

16. That approval be given to Zoning Application 89-127, Ferrell Builders Supply, owner, for a modification to the "M-12" (Prestige Industrial) District regulations for Block "1", a modification to the "M-14" (Prestige Industrial) District regulations for Block "2", a further modification to the "M-12" (Prestige Industrial) District regulations for Block "3", and a further modification to the "M-14" (Prestige Industrial) District regulations for Block "4", to permit outside storage of materials in conjunction with the building supply store at 1543 and 1549 Rymal Road East (Blocks "3" and "4"), for property located at 1519, 1543 and 1549 Rymal Road East, shown as Blocks "1", "2", "3" and "4" on the attached map marked as Appendix "F", on the following basis:

(a) That the "M-12" (Prestige Industrial) District and "M-14" (Prestige Industrial) District regulations, as contained in Sections 17D and 17F of Zoning By-law No. 6593 respectively, applicable to Blocks "1", "2", "3" and "4", be modified to include the following variances as special requirements:

(i) That notwithstanding Table 4 as identified in Section 17D(1)(b) and Section 17F(1)(b) of Zoning By-law No. 6593, the following uses shall be permitted to have an ancillary retail sales area not exceeding 25% of the gross floor area of the building:

<u>SIC Identification Number</u>	<u>Commercial Use</u>
5621	Hardware, Wholesale
5622	Plumbing, Heating and Air Conditioning, Equipment and Supplies Wholesale
5631	Lumber, Plywood and Millwork, Wholesale
5632	Paint, Glass and Wallpaper, Wholesale
5639	Other Building Materials, Wholesale

- (ii) That notwithstanding Section 17D(2)(e)1.(i) of Zoning By-law No. 6593, there shall be provided and maintained a landscaped area in the required front yard having a depth of not less than 12.0 m abutting the street line, except for any area used for access driveways.
- (iii) That notwithstanding Sections 17D(2)(h)(4) and 17F(2)(h)(4) of Zoning By-law No. 6593, the total area used for storage outside of a building or structure shall not exceed 62% of the lot area subject to the following requirements:
 - (1.) That the outside storage area shall be used exclusively for building supplies such as, but not limited to, sand, gravel, concrete block, bricks, lumber, and equipment;
 - (2.) That no stockpile of building supplies located in the outside storage area shall exceed a height of 4 metres;
 - (3.) That Section 18(3)(vi) shall not apply to the outside storage area.
- (iv) That notwithstanding Sections 17D(2)(h)(2) and 17F(2)(h)(2) of Zoning By-law 6593 every side yard or rear yard that is used for outside storage of any material or any equipment shall be screened from external view by the erection and maintenance of a chain link fence not less than 1.5 m in height and not more than 3.0 m in height and a landscaped area with a planting strip having a minimum width of 1.2 m along the side and rear lot lines adjacent to the outside storage area shall be required;
- (v) That notwithstanding Section 17D(2)(h)(1) and 17D(2)(h)(2) of Zoning By-law No. 6593, outside storage shall be permitted in the non-required front yard on Block "1" only, provided that it is screened from external view by a chain link fence not less than 1.5 m in height and not more than 3.0 m in height.
- (vi) That Sections 17D(2)(i) and 17F(2)(i) of Zoning By-law No. 6593 shall not apply.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1163, and that the subject lands on Zoning District Maps E-69D and E-69E be notated S-1163;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-69D and E-69E for presentation to City Council;

- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (e) That By-law No. 86-59 be repealed in its entirety.

NOTE: The purpose of the proposed By-law is to provide for a modification to the "M-12" (Prestige Industrial) District regulations for Block "1", a modification to the "M-14" (Prestige Industrial) District regulations for Block "2", a further modification to the "M-12" (Prestige Industrial) District regulations for Block "3", and a further modification to the "M-14" (Prestige Industrial) District regulations for Block "4", for property located at 1519, 1543, and 1549 Rymal Road East.

The effect of the By-law is to permit additional outside storage of materials (Blocks "1" and "2") in conjunction with the adjoining building supply store (Blocks "3" and "4"). It also allows for not more than 62% of the lot area to be used for outside storage of materials. Presently, outside storage of materials comprising not more than 5% of the lot area for Blocks "1" and "2", and not more than 55% of the lot area for Blocks "3" and "4" is permitted. Further, the By-law permits the retail sale of lumber and building materials in an area not exceeding 25% of the gross floor area of the building.

In addition, the By-law provides for the following special requirements:

- (a) The outside storage area shall be exclusively used for building supplies, such as sand, gravel, concrete blocks, bricks, lumber, and equipment.
- (b) No stockpile of building supplies shall be higher than 4 m, whereas there is presently no limitation on the maximum height.
- (c) The outside storage area may be located in the required side and rear yards instead of having a minimum setback from the side and rear lot lines.
- (d) The outside storage area shall be screened from external view by providing a 1.5 m to 3.0 m high chain link fence and a 1.2 m wide landscaped area with a planting strip along the side and rear lot lines.
- (e) The outside storage area may be located in the front yard on Block "1" only. A minimum 12.0 m landscaped area abutting Rymal Road is required, and a chain link fence between 1.5 m to 3.0 m in height is also required.
- (f) Outside storage and the erection of an industrial building shall be permitted within 90 m of land used solely for residential purposes.

17. That Zoning Application 89-110, Dennis Gordon Le Blanc, owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District for property located at 220 Burlington Street East, as shown on the attached map marked as Appendix "G", be DENIED for the following reasons:
- (a) It conflicts with the intent of the Official Plan, in that it represents an intrusion of a 3 family dwelling into an area which is predominantly occupied by single-family dwellings;
 - (b) It would result in the entire front yard being paved over to accommodate the 4 required parking spaces which would detract from the established residential streetscape of the area south of Burlington Street East, and which is prohibited by the Zoning By-law; and,
 - (c) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the By-law and change the character of the area.
18. That approval be given to Zoning Application 90-01, 815488 Ontario Inc. (Nella Bradt), prospective owner, requesting the removal of the 'H' (Holding) symbol provision for property located at 1489 to 1495 Upper Gage Avenue, under Section 35(1) of The Planning Act, and the City Solicitor be directed to prepare a By-law for submission to City Council for property located at 1489 to 1495 Upper Gage Avenue, as shown on the attached map marked as Appendix "H".

NOTE: The purpose of this By-law is to remove the 'H' holding symbol, for the property located at 1489 to 1495 Upper Gage Avenue. The holding provision prohibits the development of the lands until the installation of all such municipal sewers as the City deems necessary. In this regard, municipal sewers are available to service the subject lands.

The effect of the By-law is to permit the development of the subject lands for a 32 unit apartment building in accordance with the "DE-3" (Multiple Dwellings) District. The By-law also allows, as a special provision, a maximum building height of four storeys.

19. That leave be granted to introduce the following Bills:

- (a) Bill D-27 A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal No. 1285 Upper Gage Avenue fronting on Queen Victoria Drive.
- (b) Bill D-28 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 244 Stone Church Road West.
- (c) Bill D-29 A By-law to amend Zoning By-law No. 6593 respecting lands located on the east side of Upper Sherman Avenue, north of Limeridge Road East.
- (d) Bill D-30 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1527 Upper Ottawa Street.
- (e) Bill D-31 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 71, 75, 79, 83, 87, 91, 95, 99, and 103 Britten Close.
- (f) Bill D-32 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 77 Eleanor Avenue.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder
Secretary
1990 February 21st

COMMUNITY IMPROVEMENT PROGRAMME

SELECTION CRITERIA

IN THE CITY OF HAMILTON

Department of Community Development
1986 September

Appendix "A" as referred to in
Section 2 of the FIFTH Report
for 1990 of the Planning and
Development Committee.

The Department of Community Development, is establishing the selection guidelines for the Community Improvement Programme, addressed items that the B.I.A.'s study should include as well as the criteria to be used in evaluating financial requests from the B.I.A.'s. The following provides an outline of the selection process.

CRITERIA FOR AREA

1. Age of Hard Services

Priority will be given on the age and condition of hard surfaces (i.e. oldest most needy), including the sharing of costs with the Region based on their Reconstruction-Resurfacing Schedule.

2. Market Catchment Area

The type of commercial needs it caters to, i.e., neighbourhood shopping, Regional mall, tourist area and/or ethnic flavour, will be considered.

3. Stability of B.I.A.

The B.I.A. must be in existence and operating for at least one year.

4. Central Area

As stated in the Official Plan, "The Central Policy Area is recognized as the highest level in the Commercial hierarchy and is promoted as the principal retail centre for both the City and the Region, offering the widest range of goods and services". Thus consideration will be given based on the aforementioned, to the B.I.A.'s in the Central Policy Area.

5. Municipal Expenditure

The last major municipal expenditure in the area will be considered in terms of when and how many municipal dollars spent.

6. B.I.A. Study

The B.I.A. study submitted will be assessed based on: the scope and nature of the submission, the breakdown of hard and soft services, long term objectives and goals, a clear majority of 60/40 B.I.A. members in favour of the improvements proposed - this ascertained by means of a general membership meeting or an individual poll to avoid potential conflicts and facilitate implementation.

7. Uniqueness of Proposal

New, imaginative ideas conducive to Hamilton's future growth will be favourably considered.

8. Commercial Facade Loan Programme

The viability of implementation of the Commercial Facade Loan Programme will be considered based upon the age of buildings, and any architectural or historical significance.

CRITERIA FOR MUNICIPAL EXPENDITURE**1. Staged Project**

Any acceptable proposal exceeding available funds will be considered as a staged project over a number of years.

2. Specific Staging

Any proposal over \$500,000. must also provide specific staging and priorities for implementation i.e. if approval not given for Stage 2 the project completed (Stage 1) stands on its own merit. Each year proposals are reviewed and allocations made. Thus, the Planning and Development Committee and subsequently City Council can terminate or postpone stages of the programme prior to next years' allocation.

3. Maintenance Costs

The ongoing maintenance costs to the City of Hamilton and the Region will be considered.

STUDY**1. Market Catchment Area**

The type of commercial needs the B.I.A. caters to, i.e., neighbourhood shopping, regional mall, tourist area or ethnic flavour must be outlined in the B.I.A. professional study submission.

2. B.I.A. Study

The study must include breakdown of hard and soft services, preliminary cost estimates, long term goals and objectives, reference to a clear majority (60/40) in favour of proposed changes, i.e., general meeting or merchant poll to confirm support.

3. Condition of Building

The age of buildings relative to their historical or architectural significance must be addressed to ascertain the viability of the implementation of loan/grant programmes (i.e., Heritage, Commercial Facade, Low-Rise).

SUMMARY

The Department of Community Development would prepare recommendations to the Planning and Development Committee based on the preceding guidelines.

Assistance will also be given to the B.I.A.'s with respect to the terms of reference for the professional study undertaken financially by the B.I.A. The B.I.A.'s must understand and acknowledge in writing that the submission of the study does not necessitate the allocation of funds by the municipality.

The Commercial Improvement Programme will be limited to B.I.A.'s in existence and operation for one year for the following reasons:

- a) there is a definite need for a stable political system and structure to effectively ensure majority approval.
- b) due to the present limitations of the annual capital budget there will not be enough funding available to make this programme available to new B.I.A.'s during their first year of operation.
- c) the B.I.A. Legislation provides an ideal mechanism for the Business Community to collect the necessary funding for the required study.

REASONS FOR DESIGNATION

33 Undermount Avenue

Context

Built in 1916-17 for lawyer John R. Marshall, the house at 33 Undermount Avenue is located in the Kirkendall South Neighbourhood, an early 20th century, upper middle-class residential area extending south of Aberdeen Avenue to the escarpment and west to the Chedoke Civic Golf Course. Typical of this area, Undermount Avenue is a pleasant, tree-lined street with a homogenous mix of 2 1/2 storey brick houses.

The properties on either side of Undermount Avenue, a north-south street just west of Locke Street South between Aberdeen and Glenfern Avenue, comprise the survey laid out for Williams, Powell & Francis and sold to the Cumberland Land Co. Ltd. in 1909. The uniform size, quality and set-back of the houses may be attributed to building restrictions in the form of restrictive covenants registered on the original deeds to the lots.

Historical Associations

Of historical interest is the association of 33 Undermount Avenue with the original owner, John R. Marshall, who owned and occupied the house until 1943.

John Roy Marshall was a noted corporate lawyer in partnership for fifty years with Major-General the Honourable S.C. Mewburn. Marshall joined the firm of Mewburn & Ambrose in 1906, becoming a full partner in 1916. In the course of his distinguished legal career, he served for 25 years as a bencher for the Law Society of Upper Canada, subsequently being made a life bencher, and in 1933 was appointed a King's Counsel.

Architectural Significance

This residence, one of the most distinctive on Undermount Avenue, features roughcast masonry walls, a broad symmetrical facade with a central doorway protected by a round-arched canopy, a side-gabled roof with deep flared returned eaves, and multi-paned casement windows. Its individuality stems from the eclectic combination of classical proportions and symmetry with elements borrowed from contemporary English domestic architecture: the roughcast walls, casement windows, and absence of revivalist detail.

An unusual feature of the simply detailed interior is the ornate curvilinear marble mantelpiece in the living room.

Designated Features

Important to the preservation of 33 Undermount Avenue are the original features of the west (front), north and south facades, including the casement windows and canopied entrance, and the living room mantelpiece.

Appendix "B" as referred to in
Section 11 of the FIFTH Report
for 1990 of the Planning and
Development Committee.

PLANNING INFORMATION

33 Undermount Avenue

DATE: November 1989

HERITAGE STATUS: Listed on the Inventory

NEIGHBOURHOOD: Kirkendall South

ZONING: "C" District (Urban Protected Residential), which permits single-family and converted dwellings, foster homes, residential care facilities, and certain institutional and public uses (see sec. 9 of Zoning By-law).

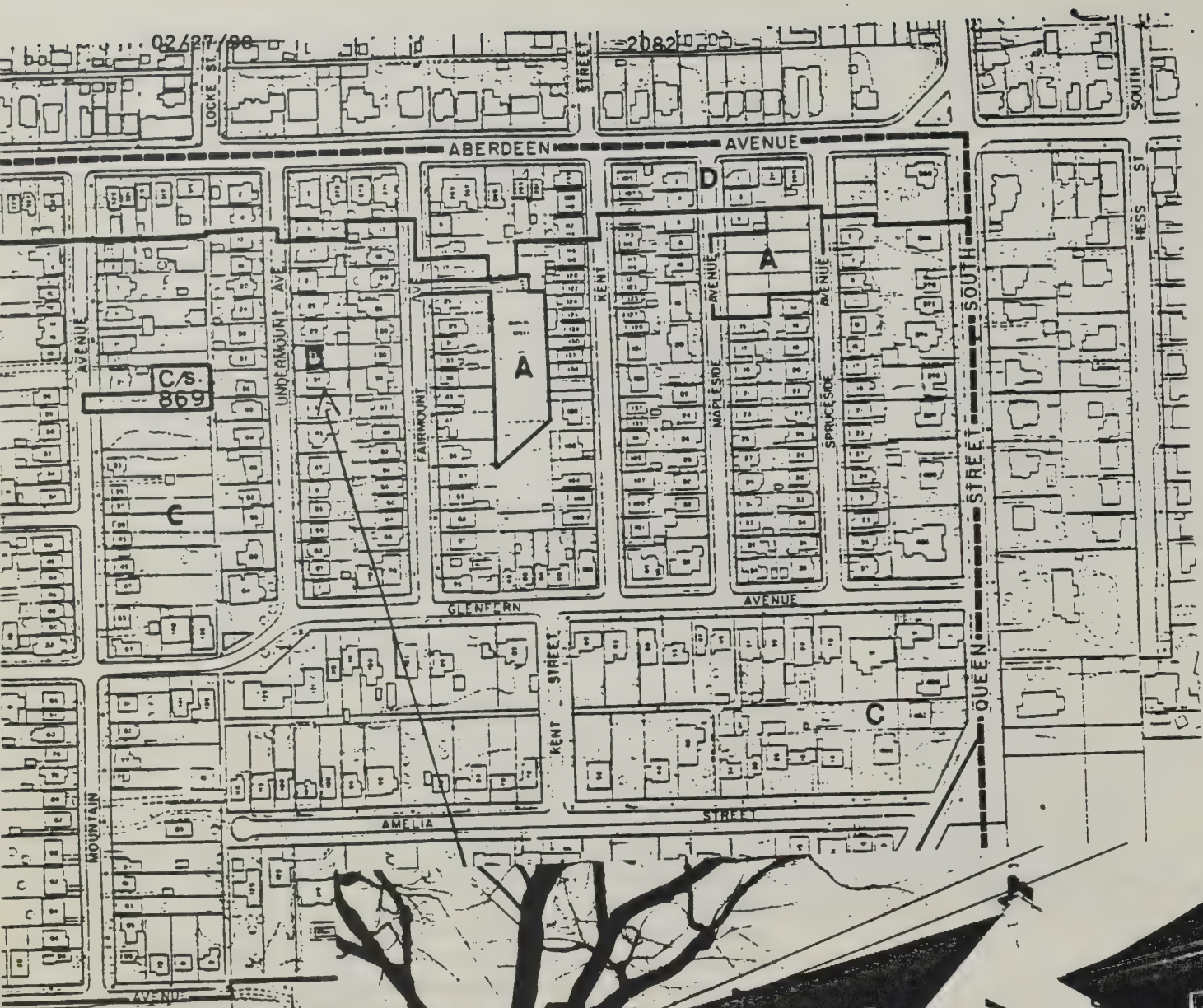
Maximum permitted building height: 2 1/2 storeys

No current or recent zoning applications.

SITE PLAN CONTROL: Not under site plan control.

OFFICIAL PLAN POLICIES: Designated "Residential" in the Official Plan (Schedule "A" - Land Use Concept).
Primary uses permitted: various types of dwellings and compatible land uses which serve the needs of local residents (i.e. public parks, institutional and commercial uses on sites less than .4 ha - approx. 1 acre). Home occupation uses and medical offices may also be permitted.

NEIGHBOURHOOD PLAN POLICIES: Designated "Single and Double Residential" in the approved neighbourhood plan.



CITY OF HAMILTON

KIRKENDALL SOUTH
ZONING

0 50m 100m

SCALE

PLANNING UNIT NO 6802

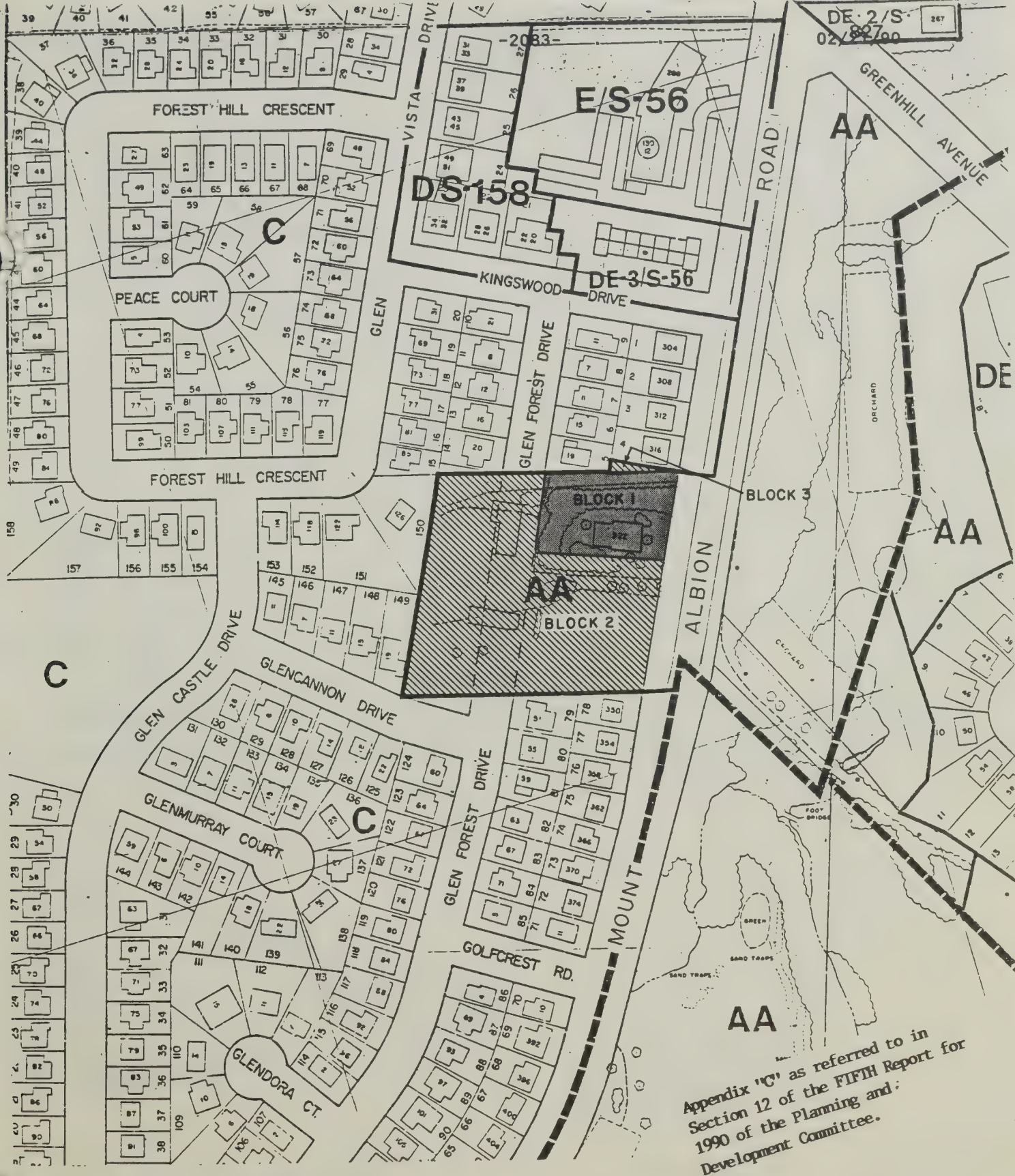
JUNE 1988

PAGE NO 93

NORTH





33 Undermount Avenue

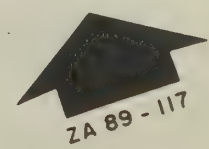


Appendix "C" as referred to in
 Section 12 of the FIFTH Report for
 1990 of the Planning and
 Development Committee.

LEGEND

PROPOSED CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

- BLOCK 1  "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT, MODIFIED.
- BLOCKS 2 & 3  "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.



ZA 89 - 117

02/27/90

AA

2084

BRIGADE DRIVE

BORODINO COURT

ROBESPIERRE COURT

RT-20

STREET

STREET

AVENUE

REPUBLIC

MONTEBELLO COURT

BASTILLE

BASTILLE

CHANGE IN ZONING TO
"C" PENDING

AA

B

AA

AA

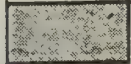
RYMAL ROAD EAST

AA

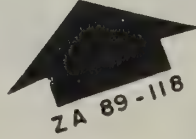
Appendix "D" as referred to in
Section 14 of the FIFTH Report for
1990 of the Planning and
Development Committee.

SITE PLAN CONTROL
BY LAW 82-220

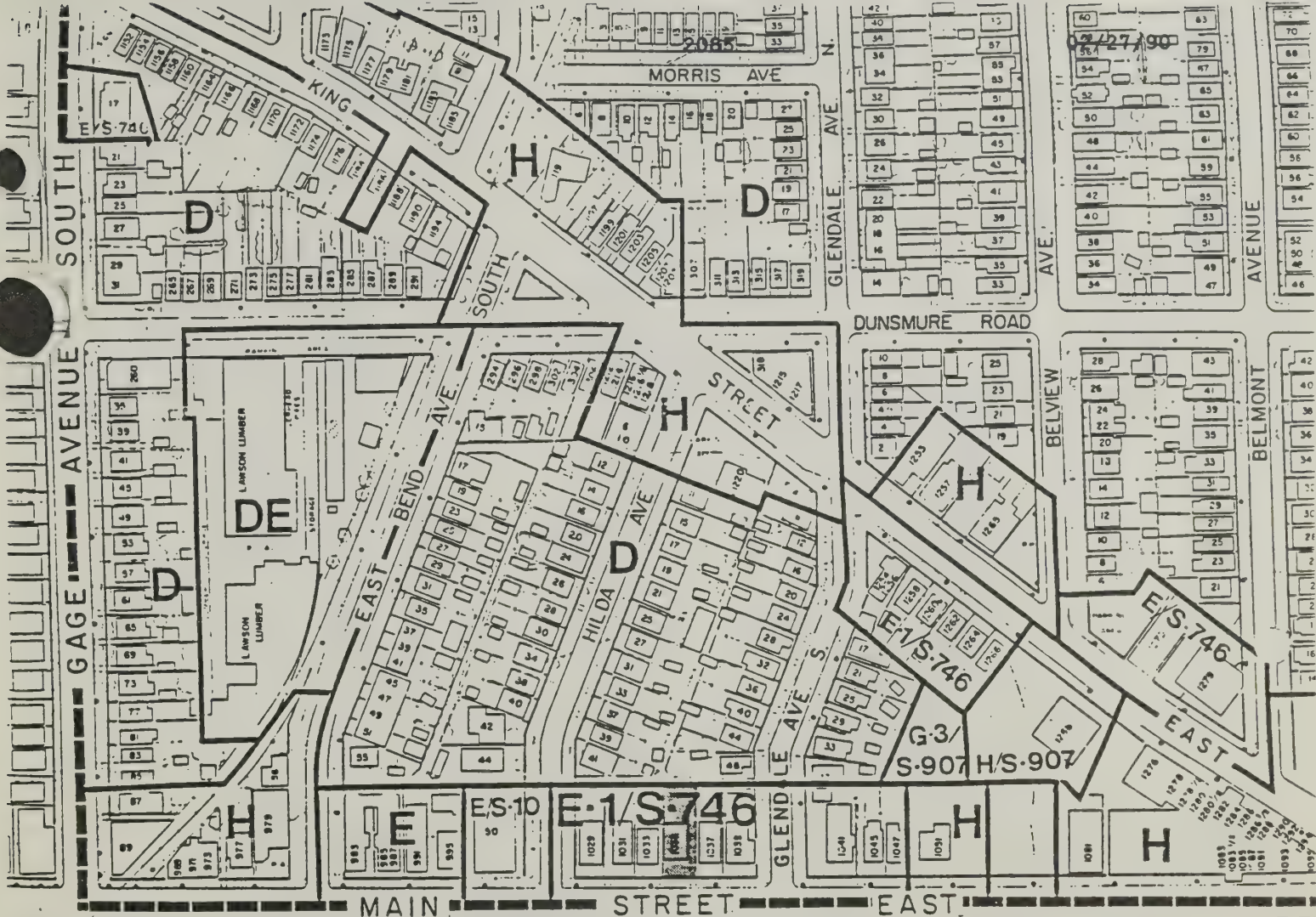
LEGEND



SITE OF THE APPLICATION



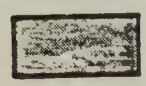
APPENDIX A



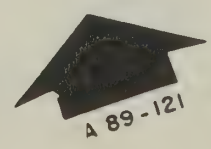
MAIN STREET EAST

Appendix 'E' as referred to in
Section 15 of the FIFTH Report
for 1990 of the Planning and
Development Committee.

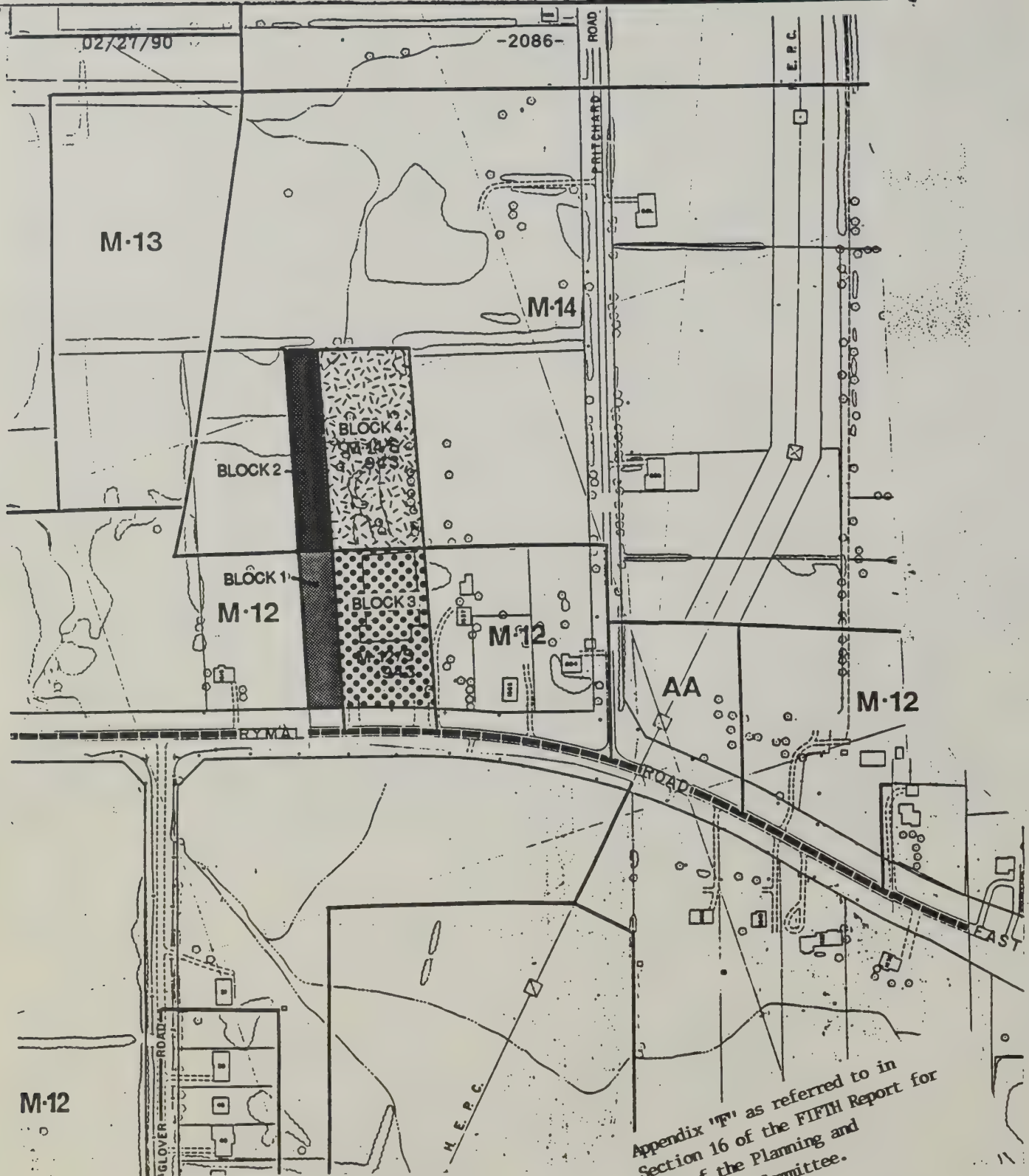
LEGEND



SITE OF THE APPLICATION



A 89-121



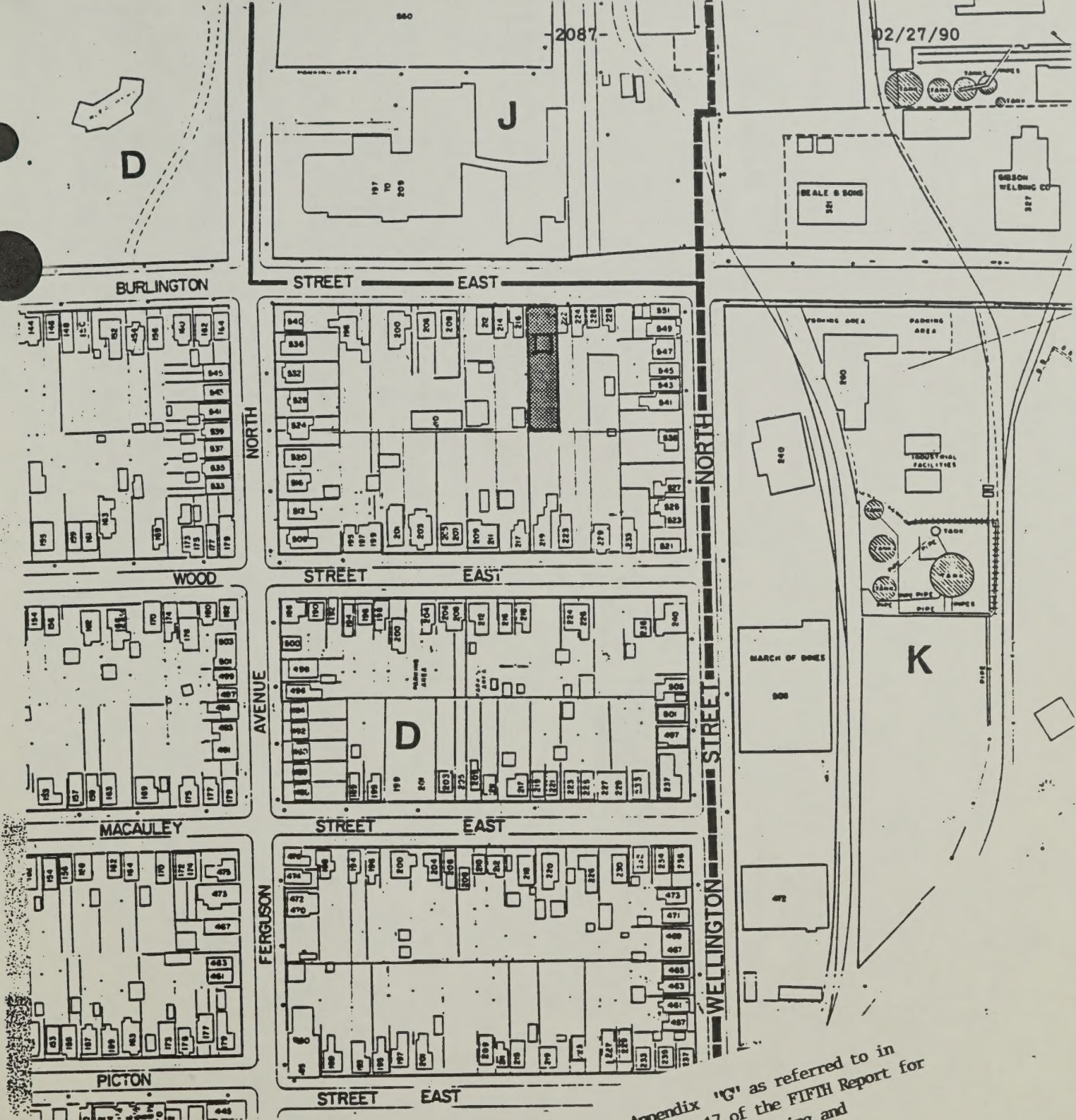
Legend



Site of the Application

Appendix "F" as referred to in
Section 16 of the FIFTH Report for
1990 of the Planning and
Development Committee.





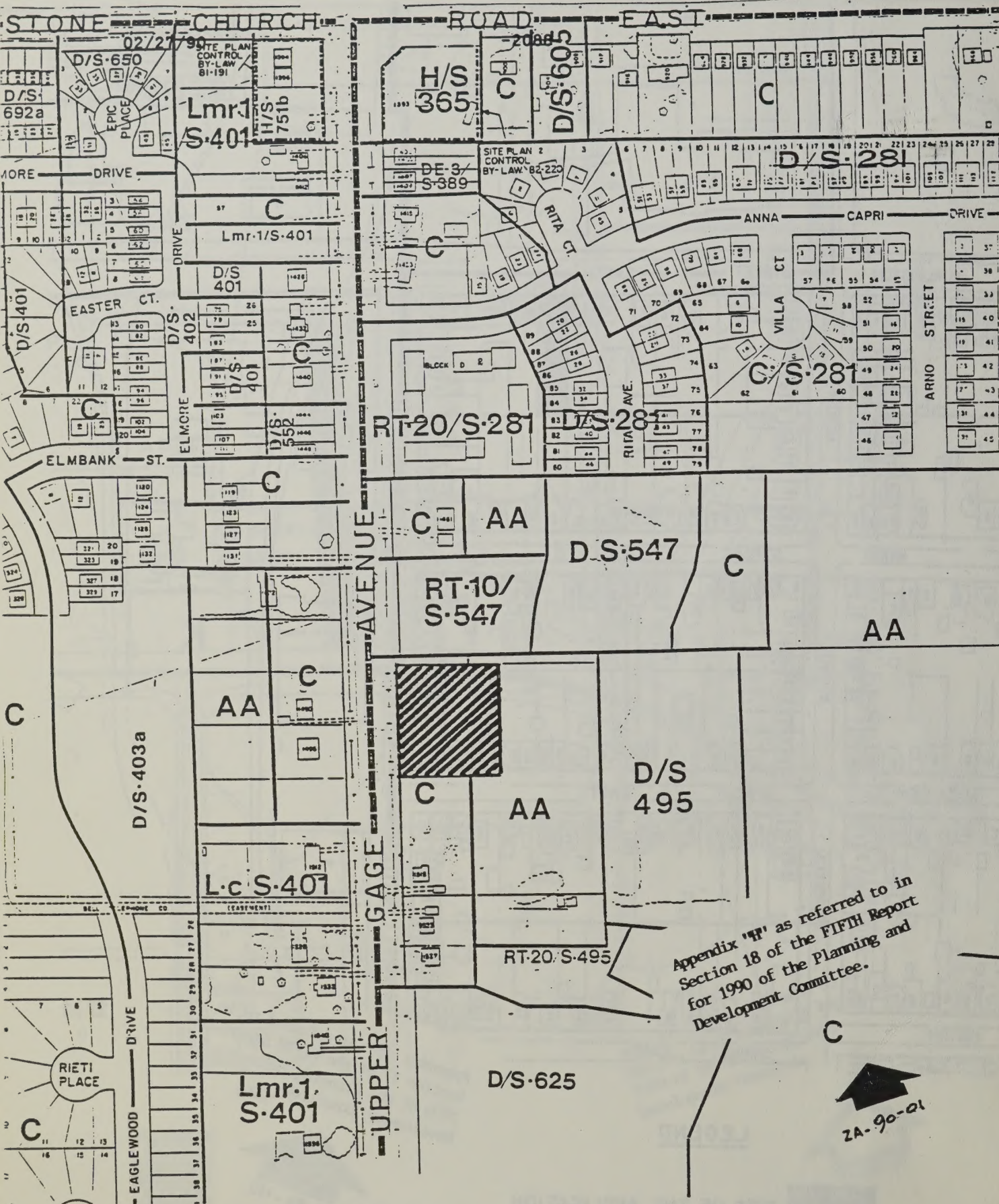
LEGEND



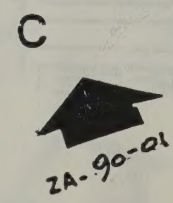
SITE OF THE APPLICATION


Appendix "G" as referred to in
Section 17 of the FIFTH Report for
1990 of the Planning and
Development Committee.





Appendix "A" as referred to in
 Section 18 of the Fifth Report
 for 1990 of the Planning and
 Development Committee.



 SITE of the APPLICATION.

APPENDIX A



ACCOPRESS® PRESSTEX & ACCO



25070	YELLOW/JAUNE	BY2507
25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X RED/ROUGE X.	BX2507

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